

X Great Brit. - George III No 70
Dropt Bill

[[12]]

~~THE CITY OF COVENTRY~~

358 b. y
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~~AND~~
~~THE CITY OF COVENTRY~~
~~AND ITS SUBURBS~~
~~FOR WIDENING SOME PARTS THEREOF~~
~~AND FOR~~
~~THE BETTER ORDERING THE WATCH, PUBLICK WELLS AND PUMPS,~~
~~AND THE RIVER SHERBORNE THERE.~~
~~AND WHEREAS~~
~~THE CITY OF COVENTRY~~
~~IS A LARGE, POPULOUS AND TRADING~~
~~CITY, AND MANY HEAVY CARRIAGES ARE USED THEREIN, AND IN~~
~~THE SUBURBS THEREOF, AND DAILY PASS AND REPAIRS THROUGH THE~~
~~SAME, WHEREBY THE PAVEMENTS IN THE STREETS, HIGHWAYS,~~
~~CAUSEWAYS, LANES AND PASSAGES, WITHIN THE SAID CITY AND SUBURBS, ARE~~
~~TORN AND BROKE UP AS TO BE IN MANY PLACES DANGEROUS AND ALMOST~~
~~IMPASSABLE, AND IN SOME PARTS ARE SO NARROW THAT CARRIAGES CANNOT PASS~~
~~WITHOUT GREAT DANGER.~~
~~AND WHEREAS IT WOULD TEND GREATLY TO THE SAFETY, PRESERVATION AND~~
~~BENEFIT OF THE INHABITANTS OF THE SAID CITY AND SUBURBS, IF THE SAID~~
~~STREETS, HIGHWAYS, CAUSEWAYS, LANES AND PASSAGES, SHOULD BE KEPT IN~~
~~GOOD ORDER, CLEAN, AND PROPERLY LIGHTED, AND AN ABLE WATCH KEPT THEREIN~~
~~IN THE NIGHT-TIME; AND IF SUCH PARTS THEREOF AS ARE TOO NARROW AND~~
~~CONFINED FOR CARRIAGES SAFELY AND COMMODIOUSLY TO PASS SHOULD BE OPENED~~
~~AND WIDENED, AND THE PUBLICK WELLS AND PUMPS THEREIN BE PROPERLY~~
~~REGULATED AND MAINTAINED, AND THE RIVER SHERBORNE RUNNING THROUGH AND~~
~~BY SEVERAL PARTS OF THE SAID CITY AND SUBURBS BE DULY CLEANSED AND KEPT~~
~~FREE FROM OBSTRUCTIONS.~~

*The better paving, lighting, and cleansing the City of Coventry,
and its Suburbs; for widening some Parts thereof; and for
the better ordering the Watch, publick Wells and Pumps,
and the River Sherborne there.*

~~And whereas~~
~~the City of Coventry~~
~~is a large, populous and trading~~
~~City, and many heavy Carriages are used therein, and in~~
~~the Suburbs thereof, and daily pass and repairs through the~~
~~same, whereby the Pavements in the Streets, Highways,~~
~~Causeways, Lanes and Passages, within the said City and Suburbs, are~~
~~torn and broke up as to be in many Places dangerous and almost~~
~~impassable, and in some Parts are so narrow that Carriages cannot pass~~
~~without great Danger.~~

~~And whereas it would tend greatly to the Safety, Preservation and~~
~~Benefit of the Inhabitants of the said City and Suburbs, if the said~~
~~Streets, Highways, Causeways, Lanes and Passages, should be kept in~~
~~good Order, clean, and properly lighted, and an able Watch kept therein~~
~~in the Night-time; and if such Parts thereof as are too narrow and~~
~~confin'd for Carriages safely and commodiously to pass should be opened~~
~~and widened, and the publick Wells and Pumps therein be properly~~
~~regulated and maintained, and the River Sherborne running through and~~
~~by several Parts of the said City and Suburbs be duly cleansed and kept~~
~~free from Obstructions.~~

~~And be it further enacted by the said Act, That when~~
~~the Mayor and Aldermen of the said City, for the Time being,~~
~~shall be so authorised and appointed Trustees for the~~
~~said City and Suburbs, they are hereby constituted and declared, and also the~~
~~Trustees and Purposes herein after mentioned and declared, that it is to say, That~~
~~the Mayor, Aldermen, and the Younger, John Mander, Thomas Mander, and William~~
~~the Younger, Gentlemen, shall from and after the Time aforesaid, be and they~~
~~are hereby likewise constituted and appointed Trustees for the~~
~~said City and Suburbs, and the Purposes herein after mentioned and declared.~~

Preamble.

A.

May

May it therefore please Your MAJESTY,

That it may be ~~Enacted~~; And be it Enacted by the KING's Most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty-fourth Day of June, One Thousand Seven Hundred and Sixty-two, the Mayor and Aldermen of the said City, for the Time being, shall be, and they are hereby constituted and appointed Trustees for the Intents and Purposes herein after-mentioned and declared, and also the Ten other Persons herein after named, that is to say, *Cater Love, Thomas Little, Richard Steane, Charles Belcher, Edward Villers, Bryan Troughton the Younger, John Mander, Jeremias Lowe, Francis Blick, and William Dadley*, Gentlemen, shall from and after the Time aforesaid, be, and they are hereby likewise constituted and appointed Trustees for the Intents and Purposes herein after-mentioned and declared.

On Removal,
Resignation,
Refusal, or
Disability to
act of first
mentioned
Trustees,
others to be
substituted.

And be it further Enacted by the Authority aforesaid, That when and so often, as any of the said Mayor and Aldermen shall discontinue his Residence in the said City or Suburbs, or shall by any Writing under his Hand signify his Desire to resign or be no longer a Trustee of and in the Premises, or shall refuse to act in the said Trust, and when and so often as any of the said Aldermen shall be rendered incapable to act for the Space of One Year at any one Time by Sickness or other Disability, it shall and may be lawful to and for the Mayor, Bayliffs and Commonalty of the said City, and their Successors, or the major Part of them in Council assembled, (exclusive of the said other Ten Trustees by this Act appointed, and their Successors,) from Time to Time to substitute and appoint out of any of the Inhabitants of the said City or Suburbs, who shall be liable to be rated in any Rates or Assessments, to be made by virtue of this Act; one other Person, to be a Trustee in his Room, and as such Substitute Trustee shall die, discontinue his Residence in the said City or Suburbs, desire to resign, refuse to act, or be rendered incapable as aforesaid, to substitute and appoint another in his Room, out of such Inhabitants as aforesaid, with like Power of Substitution for ever, such Substitution and Appointment being from Time to Time entered in the Book of Minits or Orders of the said Council: And every Person who shall from Time to Time be so substituted and appointed, shall from thenceforth have the same Power and Authority to act in all Things relating to the Matters herein contained, and for such and so long Time and Continuance only as the Person in whose Room he shall be so substituted and appointed, had or might have had by virtue of this Act; and such Person in whose Room he shall be so substituted and appointed, shall from thenceforth cease to be and be incapable of being or acting as a Trustee, at any Time within the Space of three Years next following such Incapacity, unless such Person

Person shall in the mean Time be newly elected into the Office of or become the Mayor or one of the Aldermen of the said City, in which Case he shall be and be capable of acting as a Trustee, in like manner as any other Person being Mayor or Alderman of the said City, in respect of such his Office would have been, as to any of the Matters in this Act contained.

Provided always, and be it Enacted, by the Authority aforesaid, That before any such Substitute Trustee shall be permitted or be capable to act in any of the Matters herein contained, a Copy of the Entry in the said Book of Minits or Orders of the said Council of his Appointment shall be delivered to the Clerk of the Trustees for the Time being, for the Execution of this Act, and by him produced at the then next Meeting of the said Trustees, and then inrolled in their Book of Orders or Proceedings.

Copy of Appointment of Substitute Trustees to be delivered to the Clerk and inrolled at next Meeting.

Provided also, and it is hereby Declared, That nothing herein contained shall extend or be construed to extend to give any Power or Authority to any Person so substituted as aforesaid, to continue or act as a Trustee as aforesaid any longer than during such Time as the Mayor or Alderman in whose stead such Substitution shall respectively first begin to be made, shall continue to hold and retain his Office of Mayor or Alderman in respect whereof he was a Trustee as aforesaid, at and immediately before his discontinuing his Residence, signifying his Desire to resign, or refusing or being rendered incapable to act as aforesaid.

Duration of the Power of Substitute Trustees.

And be it further Enacted by the Authority aforesaid, That when, and so often, as any of the said Ten Trustees last named and appointed by this Act, or their Successors, shall die, discontinue his Residence in the said City or Suburbs, or shall by any Writing under his Hand signify his Desire to resign, or be no longer a Trustee of and in the Premises, or shall refuse to act in the said Trust, or shall be rendered incapable to act for the space of One Year at any one Time, by Sickness or other Disability, it shall and may be lawful to and for the surviving or remaining Trustees, at a special Meeting to be held by them for that Purpose, or the major Part of them present at such Meeting (exclusive of the said Mayor and Aldermen, and of such Substitute Trustees as aforesaid) from Time to Time to elect and appoint, out of any of the Inhabitants of the said City or Suburbs, who shall be liable to be rated in any Rates or Assessments to be made by virtue of this Act, one other Person to be a Trustee, in his Room: but Notice in Writing under the Hands of Three or more of such surviving or remaining Trustees of the Time and Place of Meeting for every such Election, shall be left at the Houses or last Places of Abode within the said City or Suburbs, of each of the said surviving or remaining Trustees who shall not sign or subscribe such Notice, Three Days at least before every such Meeting, exclusive of the Day of leaving of the same, and of the Day of Meeting: And every Person who shall from Time to Time be so elected and appointed, shall from thenceforth have the same

On Death, Removal, Resignation, Refusal, or Disability to act of last appointed Trustees others to be chosen.

same Power and Authority to act in all Things relating to the Matters herein contained, as if he had been expressly named and appointed a Trustee by this Act; and that the Person in whose Room such new elected Trustee shall be appointed, shall from thenceforth cease to be, and be incapable of acting as a Trustee, as to any of the Matters in this Act contained.

Copy of Ap-
pointment of
new Trustees,
to be deliver-
ed to the
Clerk, and
inrolled at
next Meeting.

Provided always, and be it Enacted by the Authority aforesaid, That before any such new elected Trustee shall be permitted or be capable to act in any of the Matters herein contained, a Minit or Copy of such Election and Appointment, under the Hands of the Trustees present at such Meeting for such Election, or the major Part of them, shall be delivered to the Clerk of the Trustees for the Time being, for the Execution of this Act, and by him produced at the then next Meeting of the said Trustees, and then inrolled in their Book of Orders or Proceedings.

First Meeting.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees nominated and appointed by or in Pursuance of this Act, or any Five or more of them, to meet, and they are hereby authorised and required to meet and assemble together at the Mayor's Parlour within the said City, on the Twenty-ninth Day of July, One Thousand Seven Hundred and Sixty-two, between the Hours of Nine and Twelve in the Forenoon, in order to put this Act in Execution pursuant to the Power hereby given, and shall then adjourn themselves, and shall and may from Time to Time afterwards by Adjournment, meet and assemble together at the same Place (but so as not to interfere with or obstruct the Business or publick Affairs of the Corporation of the said City) or at any other convenient Place within the said City, as they or the major Part of them (being not less in Number than Five) shall appoint. And if it shall happen that there shall not appear at any Meeting which shall be appointed to be held by the said Trustees, a sufficient Number thereof to act and to adjourn to another Day, or if they shall omit or neglect to adjourn, or if there shall be any special Occasion for any Meeting, between the Time of any Adjournment or at any other Time, then and in every such Case their Clerk or any Three or more of the said Trustees, shall and may call a Meeting at the Place where the last Meeting was appointed to be held, or at some other convenient Place, between the Hours of Nine and Twelve in the Forenoon, or of Two and Five in the Afternoon of such Day on which such Meeting shall be called; Notice thereof being given as hereafter is mentioned.

Power to ad-
journ.

Notice to be
given of
Meetings and
Adjourn-
ments.

Provided always, and be it Enacted by the Authority aforesaid, That previous to any Meeting of the said Trustees in pursuance of this Act, subsequent to such first Meeting as aforesaid, there shall from Time to Time be delivered to each of the said Trustees, or left at each of their Houses, or last Places of Abode within the said City or Suburbs, a Notice in Writing by their Clerk, or by Three or more Trustees,

of

of the Time and Place of every such Meeting, which Notice shall be so delivered or left Three Days at least before every such Meeting, exclusive of the Day of leaving the same, and of the Day of Meeting.

And be it further Enacted by the Authority aforesaid, That it shall ^{Officers to be appointed.} and may be lawful for the said Trustees nominated and appointed by or in pursuance of this Act, or the major Part of them, (being not less in Number than Five), at any of their Meetings for putting this Act in Execution, to limit and appoint such Number of Pavours, Watchmen, Scavengers, Surveyors, Rakers and Cleansers of the Streets, Highways, Causeways, Lanes and Passages, Keepers and Lighters of the Lamps, Clerks, Treasurers and other Officers as they shall think proper, (all and every of which said Officer or Officers, shall be appointed as is herein after directed, but shall be subject and liable to be displaced ^{Who may be removed.} and removed at any such Meetings of the said Trustees, and new ones to be appointed in his or their Place or Places, as hereafter mentioned,) and also to order and appoint what Number and Sort of Lamps, how ^{Regulation of the Lamps.} and where they shall be set up, and to what House, Buildings or other Places within the said City or Suburbs, they shall be affixed, and where the same shall be placed, and for how long Time they shall be and continue lighted; and also to appoint at what Places the said Watchmen ^{Of the Watchmen.} shall stand and be stationed, how long they shall continue on Duty, and in what Manner, and how often they shall go their Rounds, and how they shall be armed, and what Wages and Allowances shall be paid and given to such Pavours, Watchmen, Surveyors, Scavengers, Rakers and Cleansers, Keepers and Lighters of Lamps, Clerks, Treasurers, and other Officers, and to the Chief Constable, Night-Constable, or Night-Constables, or any other Officers to be employed for the purposes of this Act, and shall and may from Time to Time make such other Orders and Regulations, as the nature of each particular Service shall seem to them to require, and to do all other Things as to the said Trustees assembled as aforesaid, or the major Part of them, not being less than Five, shall seem necessary and expedient for putting this Act in Execution; Which Orders and Regulations so as aforesaid, to be from Time to Time made, shall be valid and effectual to all Intents and Purposes; and all and every such Officer and Officers ^{Penalty on Officers not obeying Or. ders of Trustees.} as aforesaid, shall observe and obey the same as fully and effectually as if the Words and Meaning thereof were particularly expressed herein, in all Things touching their respective Offices, on Pain of forfeiting Five Shillings, for every Default in the due Observance thereof.

And be it further Enacted by the Authority aforesaid, That it shall ^{Appointment of Officers by the Mayor, Aldermen and Substitute Trustees,} and may be lawful to and for the said Mayor and Aldermen, and such Substitute Trustees as aforesaid, or the major Part of them, (being not less in Number than Five) at any Meeting to be held in pursuance of this Act, to nominate and appoint, and they are hereby authorized and empowered Yearly or otherwise as there shall be Occasion, to nominate and appoint, (exclusively) all and every the Watchmen

(being able-bodied Men) and Clerks, and the Moiety of all the other Officers to be from Time to Time employed for the purposes of this Act, (except the Treasurer or Treasurers,) as they shall think proper; and for the said Ten Trustees last appointed by this Act, and their Successors, or the major Part of them, at any such Meeting as aforesaid, to nominate and appoint, and they are hereby authorized and empowered yearly or otherwise as there shall be Occasion, to nominate and appoint (exclusive of the said Mayor, Aldermen, and such Substitute Trustees as aforesaid) such fit and proper Person or Persons to be Treasurer or Treasurers, and also the Moiety of all the other Officers to be from Time to Time employed for the Purposes of this Act, (except the Watchmen, Constables and Clerks) as they shall think proper.

Alternate Appointment of Officers on Vacancies by Death, &c.

And be it further Enacted by the Authority aforesaid, That in case, and when, and so often as any Vacancies by Death, Removal, or otherwise, shall happen, of any Officers to be employed for the Purposes of this Act, (other than the said Watchmen, Constables, Clerks and Treasurers), such Vacancies shall be filled up from Time to Time by the said Mayor, Aldermen, and such Substitute Trustees as aforesaid, or the major Part of them, and by the said Ten last appointed Trustees, and their Successors, or the major Part of them, alternately; and they are hereby respectively authorized and empowered to nominate and appoint proper Persons to supply such Vacancies from Time to Time accordingly, the said Mayor, Aldermen, and Substitute Trustees having the first Nomination in case of such Vacancy.

First Turn.

A Provision in case Trustees disagree in dividing the Moieties of the Officers.

Provided always, and be it further Enacted by the Authority aforesaid, That in case it shall happen that the said Officers so to be appointed in Moieties as aforesaid, cannot either as to Number or in the Nature and particular Service, Salaries or Wages of such Officers be equally divided to the Satisfaction of the Trustees present, at any Meeting at which such Officers shall be proposed to be appointed, then the Appointment of such Officer or Officers as to whom the said Trustees shall not be agreed, shall be adjourned to their next Meeting for putting in Execution this Act, which Meeting shall be had within some reasonable and convenient Time; and in the Notices of such Meeting mention shall be made of such Officer or Officers being then to be appointed, and at such Meeting the Trustees then present, or the major Part of them, being not less in Number than Five, shall then nominate and appoint such Officer or Officers.

In Default of Appointment of Officers, Trustees generally to appoint.

Provided also, and be it further Enacted by the Authority aforesaid, That in case, and when, and so often as the said Mayor, Aldermen, and Substitute Trustees as aforesaid, or the said last appointed Ten Trustees, or their Successors, shall omit or neglect to appoint, or in Default of any Appointment in manner herein before prescribed of any Officer or Officers in their respective Nominations and Appointment, at the first Meeting of the said Trustees, after any Order for that Purpose

at

at a prior Meeting, and a Copy of such Order delivered to each of the said Trustees to whom it shall belong to make or join in such Nomination and Appointment, or left at each of their Houses or last Places of Abode within the said City or Suburbs, Six Days at least before such Meeting, (exclusive of the Day of Delivery of the said Notice, and the Day of the said Meeting); it shall and may be lawful for the said Trustees appointed by or in pursuance of this Act, or the major Part of them, being not less in Number than Five, from Time to Time, at any Meeting to put this Act in Execution, to nominate and appoint such Officer or Officers as to whom such Omission, Neglect, or Default of Appointment shall happen as aforesaid.

And it is hereby further Enacted by the Authority aforesaid, That at every Meeting of the aforesaid Mayor, Bayliffs and Commonalty, or their Successors, for the Substitution and Appointment of any Trustee or Trustees in pursuance of this Act, the Mayor of the said City for the Time being shall preside and have a casting Voice; and in every Nomination and Appointment of Officers by the said Mayor, Aldermen and Substitute Trustees, in Exclusion of the said Ten Trustees by this Act appointed, and their Successors as aforesaid, the Mayor, if present, or in his Absence the Senior Alderman of the said City then present, or if neither the said Mayor or any Alderman be present, then the Names of the said Substitute Trustees then attending shall, in case of Equality of Voices, be wrote upon separate Pieces of Paper, to be folded up so as to conceal the Name therein, and to resemble each other as nearly as may be, and put into a Box, or under some proper Cover, and one of the said Papers shall then be openly and publicly drawn thereout by some indifferent Person, and such Person whose Name shall be contained in such Paper shall have a casting and decisive Voice.

And it is hereby further Enacted by the Authority aforesaid, That in every Nomination and Appointment of Officers by the said Ten last appointed Trustees, and their Successors as aforesaid, and at every Meeting of the Trustees collectively by virtue of this Act, there shall (in case of Equality of Voices) be a casting and decisive Voice, such casting Voice to be from Time to Time determined by Ballot, *mutatis mutandis*, in manner as aforesaid; And at every Meeting of the said Trustees collectively as aforesaid, the Mayor, or in his Absence the Senior Alderman for the Time being, if present, or if neither the Mayor or any Alderman be present, such one of the Trustees present as the major Part of them then attending shall appoint, shall preside, and be called President; but such President is to have no casting Voice whatsoever.

Provided always, and be it further Enacted by the Authority aforesaid, That whenever it shall happen that the Mayor of the said City for the Time being shall not be one of the Aldermen of the same City, then, and for such Time as the said Mayor shall not be an Alderman, the Junior Alderman, or (if he shall not then be a Trustee) the Junior of the aforesaid Substitute Trustees, shall have no Voice in any Matters

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Except as to whatfoever relating to the Execution of this Act, save only as to such Nominations and Appointment of Officers as herein before directed; it being the Intent and Meaning of this Act that the said Mayor, Aldermen, and such Substitute Trustees as aforefaid, capable of acting in the Execution of the Powers hereby granted, shall not at any Time exceed Ten in Number, save only as to such exclusive Nominations and Appointments by them as aforefaid.

And be it further Enacted by the Authority aforefaid, That all and every Person and Persons inhabiting within the faid City of Coventry, or the Suburbs thereof, and all others to be rated by virtue of this Act, shall, from and after the faid Twenty-ninth Day of July, sweep and cleanse, or caufe to be swept and cleaned, all the Streets, Causeways, and Passages within the faid City or Suburbs, before their respective Houses, Shops, Stables, and other Buildings, (not being dead Walls) to the middle of such Streets, Causeways, and Passages, Twice in every Week, that is to say, every *Wednesday* and *Saturday*, between the Hours of Two and Seven in the Afternoon, or upon such other Days and at such other Times as the faid Trustees fo assembled, or the major Part of them, being not less than Five, shall appoint, and put in Heaps the Dirt and Soil in the faid Streets, Causeways and Passages, to the End the same may be ready for the Scavenger to carry away, upon Pain of forfeiting One Shilling, for every Offence or Neglect; and the Scavenger and Scavengers, or other Officer or Officers to be from Time to Time appointed as aforefaid for that purpose, shall, and they are hereby required, from and after the faid Twenty-ninth Day of July, to sweep and cleanse, or caufe to be swept and cleaned, the Street or Place within the faid City, commonly called the Market-Place, and before the Place called the Mayor's Walk near to the Market-Cross in the faid City, and all such Parts near or about the faid Cross as have been heretofore usually swept and cleaned at the Expence of the aforefaid Mayor, Bayliffs and Commonalty, and before all void Houses, dead Walls, void or waste Grounds and Places, Churches, Church-Yards, Meeting-Houses, the School called the Free-School, Halls, and other publick Buildings within the faid City and Suburbs, which shall be appointed by the faid Trustees, and put in Heaps the Dirt and Soil thereof, to the End the same may be ready for such Scavenger to load and carry away, upon Pain of forfeiting One Shilling, for every Offence or Neglect; and no Person or Persons whatfoever shall put, place, throw, cast, or lay, or caufe, permit, or suffer to be put, placed, thrown, cast, or laid, any Ashes, Rubbish, Dust, Dirt, Dung, Filth, or other Annoyances in any open Street, Causeway, Lane, publick Passage, Water-course, or Place within the faid City or Suburbs, or in any open Street before or against his, her, or their Dwelling-house, or Houses, Buildings or Walls, or before the Dwelling-house, Buildings or Walls of his, her, or their Neighbour or Neighbours, or other the Inhabitants there, or before or against any Church or Church-Yard, publick Building, or Places whatfoever within the faid City or Suburbs,

upon

upon Pain of forfeiting for every such Offence One Shilling, to be levied, recovered, and disposed of as herein after is directed; but such Inhabitant and Inhabitants shall, and he, she and they are hereby required to keep such Soil, Ashes, Rubbish, Dust, Dirt, Dung and Filth, or cause the same to be kept in their respective Houses, Back-sides or Yards, until such Time as the Scavenger, or other Officer thereto appointed, shall come by or near their Houses or Doors, with his Cart, Wheel-barrow, or other Vehicle used for carrying away thereof, upon Pain of forfeiting One Shilling, for every such Offence; which Scavenger or Scavengers, or other Officer thereto appointed in pursuance of this Act, shall come every *Monday and Thursday* in every Week, or such other Days or Times as the Trustees so assembled as aforesaid, or the major Part of them, being not less than Five, shall appoint; and bring, or cause to be brought, a Cart or Carts, Dung-Pots, or other convenient Vehicles or Carriages, into all Streets and Places within the said City and Suburbs, where such Cart, Carts, or Carriages can pass, and at or before their Approach by Bell, loud Voice, or otherwise, shall give Notice to the Inhabitants of his or their coming, and give the like Notice in every Court, Passage, or Place, into which the said Cart, Carts, or Carriages, cannot pass, and abide and stay there a convenient Time, so that the Inhabitants or Persons concerned respectively may bring forth their Soil, Ashes, Rubbish, Dust, Dirt, Dung and Filth, to such Cart, Carts and Carriages; all which Soil, Ashes, Rubbish, Dust, Dirt, Dung and Filth, so to be brought as aforesaid to the said Cart, Carts or Carriages, as well as all such Soil, Rubbish, Dirt, Dung, Muck and Filth, as shall be swept up and gathered together in the said Streets, Causeways, Lanes, and Passages as aforesaid, the said Scavenger, or other Officer appointed for that Purpose, shall, on the Days last before-mentioned, or such other Days or Times as the said Trustees so assembled as aforesaid, or the major Part of them, being not less than Five, shall from Time to Time order and appoint, carry away, or cause to be carried away, *gratis*, upon Pain of forfeiting Ten Shillings, for every Offence or Neglect, except all such Rubbish, Earth, Dust, Dirt, Filth and Soil as shall be occasioned by building, repairing, or altering of any House or Houses, or any other sort of Buildings, which said Rubbish, Earth, Dust, Dirt, Filth and Soil, shall, within the Space of Three Days after Notice by the Scavenger or other Officer thereto appointed, be carried away by the respective Owners or Occupiers of such Houses or Buildings respectively as aforesaid, on Pain of forfeiting and paying the Sum of Twenty Shillings, for every Offence or Neglect therein; and no Person or Persons whatsoever shall take or carry away, or cause to be taken or carried away, any Ashes, Dust, Dirt, Muck, Dung, or Manure, out of the said Streets, Causeways, Lanes and Passages in the said City and Suburbs, besides such Scavenger or other Officer to be appointed by the said Trustees for that Purpose as aforesaid, (except and unless the same shall be taken or

Soil of Hoofes to be kept till carried away by the Scavengers.

Scavengers every Monday and Thursday to carry away the Soil.

Or on such other Days as the Trustees shall appoint.

Notice of his Approach to be given to Inhabitants.

Rubbish, &c. occasioned by building, &c. to be removed by the Owner or Occupier.

None but the Scavenger to carry away the Soil.

Exception,

carried

carried away by the Person or Persons to whom the same shall respectively belong, or by his, her, or their Order or Direction, before the Time that such Scavenger, or other Officer as aforesaid, shall come to carry away the same; and except such Muck, Dung or Manure as shall be brought into the said Streets, Causeways, Lanes and Passages, by the respective Inhabitants of the said City and Suburbs, from their respective Dung-holes or Mixen Places to be carried away) on Pain of forfeiting and paying the like Sum of Twenty Shillings, for every such Offence; and no Inhabitant of the said City or Suburbs or any other Person, shall permit or suffer any Muck, Dung, or Manure, by them, or any of them, brought, or caused to be brought, into the said Streets, Causeways, Lanes and Passages as aforesaid, in Order to be carried away, to continue and remain therein above the Space of Forty-eight Hours, on Pain of forfeiting Ten Shillings, for every such Offence.

Provided always, And be it Enacted by the Authority aforesaid, That in case the said Trustees so assembled as aforesaid, or the major Part of them, (being not less in Number than Fifteen) shall judge it expedient and proper to appoint Persons to sweep the said Streets, Highways, Causeways, Lanes, and Passages, instead of the same being done by the Inhabitants of the said City and Suburbs, to whom it shall respectively belong to sweep the same by virtue hereof, and such their Judgment shall be entered in their Book of Orders and Proceedings, and signed by them; That then, and in such case, it shall and may be lawful to and for the said Trustees so assembled as aforesaid, or the major Part of them, (being not less in Number than Five) to limit and appoint such Number of Sweepers, as they shall think proper; (who shall be appointed, displaced, and removed, and be under such and the like Regulations as are herein before directed and expressed, with respect to the other Officers to be employed under this Act, except the said Watchmen, Constables, Clerks, and Treasurers) And from and after that such Sweepers shall be so appointed, the Inhabitants of the said City and Suburbs shall not be obliged or compellable to sweep the Streets, Causeways, and Passages, before their respective Houses, Shops, Stables, and other Buildings, or be liable or subject to any Fines, Penalties, or Forfeitures, for the not doing thereof; Any thing in this Act contained to the contrary thereof notwithstanding.

And be it further Enacted by the Authority aforesaid, That every Person or Persons who from and after the said Twenty-ninth Day of July, shall put, place, or leave standing, or bring, drive or convey, or permit or suffer to be put, placed, or left standing, brought, drove, or conveyed, in any open Street, Causeway, Lane, Publick Passage, Watercourse, or other Place whatsoever, within the said City or Suburbs, any Timber, Boards, Bricks, Tubs, Hogheads, Barrels, Thralls, Merchandize, Goods, Horses, or other Cattle, Waggons, Drays, Carts or other Carriages (any longer than

shall be reasonably necessary for the loading or unloading the same) or any Stalls, Benches, Crates, or Pens, (except during the Times of any publick Fairs or Markets within the said City, and except in the said Street or Place called the Market-Place) or any other Annoyances, Nuisances, or Obstructions whatsoever, so as to stop, obstruct, incommode, or annoy the Publick or other Way or Passage there, shall forfeit and pay the Sum of Ten Shillings, for every such Offence; and if any Butcher, or other Person or Persons whatsoever shall kill, or slaughter, any Beasts, ^{slaughtering} Calves, Sheep, or other Cattle, in any open or publick Street or Passage ^{Cattle out of} within the said City or Suburbs, (except in the Streets or Places called ^{Butcher-} the Great and Little Butcher-rows,) or if any such Butcher, or other Person or Persons, (after such Notice as hereafter is mentioned) shall singe any Swine within any Yard or Backside contiguous or near ^{Singeing, &c.} to any of the publick Streets within the said City or Suburbs, which ^{Swine.} the said Trustees, so assembled as aforesaid, or the major Part of them, being not less in Number than Five, shall adjudge to be dangerous and unsafe in their Opinion, and of such their Adjudication shall give Notice in Writing under their Hands to the Occupier or Oecupiers of such Yard or Backside, or leave the same upon the said Premises in case he, she or they cannot be found; or if any such Butcher, or other Person or Persons, shall kill, slaughter, singe, or scald any Swine in any open or publick Street or Passage within the said City or Suburbs, every Butcher, or other Person or Persons so offending, shall forfeit and pay the Sum of Twenty Shillings, for every such Offence; and if any Farrier, Blacksmith, or other Person or Persons whatsoever, shall bleed or shoe ^{Blacksmiths} any Horses or other Cattle in any open or publick Street or Passage ^{shoeing} within the said City or Suburbs, every Farrier, Blacksmith or other Person or Persons so offending, shall forfeit and pay the Sum of Ten Shillings, for every such Offence.

And be it further Enacted by the Authority aforesaid, That no Person or Persons whatsoever shall empty any Privy or Necessary-House, ^{Emptying} within the said City or Suburbs, or remove or carry any Dung, Filth, or Night-Soil ^{Night-Soil in} thereout, at any other Time than between the Hours of Eleven ^{Hours.} at Night and Four in the Morning, and every Person offending here- in, shall for every Offence forfeit and pay the Sum of Ten Shillings; nor shall any Person or Persons whatsoever, suffer any Sort or Man- ^{Swine going} ner of Swine to go about the Streets, Causeways, Lanes, or Passages, ^{about the} within the said City or Suburbs, and every Person or Persons so offend- ^{Streets.} ing shall forfeit and pay the Sum of Two Shillings and Six Pence for every such Offence.

And be it further Enacted by the Authority aforesaid, That all Stalls, ^{Stalls, &c.} Crates, Benches, Lumber and other Things, used in the said Market- ^{in the Mar-} Place, by any Person or Persons keeping Stalls or Standings there, shall ^{ket-Place to} be taken or carried away before Eight of the Clock in the Evening, ^{be removed} (except ^{every Even-}

(except upon *Saturdays*, and then before Twelve of the Clock at Night) by the respective Persons using the same, on Pain of forfeiting Five Shillings for every Offence or Neglect therein.

Trustees to direct the amending of the Pavement, and where it shall begin.

And be it Enacted by the Authority aforesaid, That the paving and amending the said Streets, Highways, Causeways, Lanes and Passages, shall always be done in such manner, and be begun and carried on in such Parts and Places as and where the same, in the Judgment of the said Trustees assembled as aforesaid, or the major Part of them, being not less than Five, shall appear expedient and proper, and to be most wanting, without any undue Preference whatsoever.

Trustees may contract for Lamps, &c.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, so assembled as aforesaid, or the major Part of them, being not less than Five in Number, at any of their said Meetings, to contract with any Person or Persons for a sufficient Number of Lamps necessary to fix and set up in the said City and Suburbs, and for Irons, Posts, and other Materials, needful for fixing the same from Time to Time, and for finding and providing the said Lamps with all Requisites, and for lighting, supporting, attending and repairing the same; and also with any Person or Persons to be and act as Scavenger or Scavengers, to carry away the Dirt

And with Scavengers.

and Soil of the Streets, Causeways, Lanes and publick Passages in the said City and Suburbs, according to the Purport of this Act; and to

And for Ground where the Soil and Filth may be laid.

purchase, lease, or otherwise agree, for One or more Piece or Pieces of Land or Ground lying near the said City and Suburbs, where the Dirt, Dust, Rubbish, Ashes, Soil and Filth of the said City and Suburbs may be carried to, and laid upon; and also to contract and agree for Stones,

And for Stones and other Materials.

Gravel, and all other Goods, Materials, and Things, which they shall judge fit and necessary, for the Uses and Purposes by this Act directed; and to contract with any Person or Persons annually, or otherwise, for re-

And for the Repair of the Pavements.

pairing the said Streets, Highways, Causeways, Lanes, and Passages, or any Part or Parts thereof, and to make and enter into any such other

And to make any other Contracts.

Contracts, and Agreements as they shall judge expedient and proper, to answer the Intents and Purposes of this Act; and the said Trustees so assembled as aforesaid, or the major Part of them, being not less than

Five,

are hereby also authorized, impowered and required, to put up to the best Bidder, or otherwise contract for, sell or dispose of all

And may sell the Soil of the Streets.

such Dung, Dirt, or Manure, as shall arise in the said Streets, Highways, Causeways, Lanes, and Passages, or be collected, carried, and laid

together as aforesaid, and by such Scavenger or Officer for that purpose taken and carried away as aforesaid, and to apply the Money arising therefrom for the purposes in this Act mentioned.

Property of the Lamps and all Materials vested in the Trustees.

And it is hereby further Enacted by the Authority aforesaid, That the Property of the Lamps to be purchased and set up by virtue of this Act,

Act, and all Materials and Furniture thereto belonging or affixed, with all the Tools, Arms, and Implements of the said Watchmen, Scavengers, and any other Persons, which shall be bought, ordered or provided for any of the Purposes of this Act, shall be, and are hereby vested in the acting Trustees for the Time being; and they or any One or more of them, is and are hereby authorized and impowered in his or their Name or Names, to bring Actions, and prosecute Indictments against any Person or Persons, for stealing, taking, or carrying away, breaking, extinguishing, spoiling or damaging the same, and all and every Person who shall wilfully or maliciously break, throw down, take away, extinguish, damage, or spoil any Lamp or Lamps put up by virtue of this Act, or wilfully damage the Posts, Irons, or other Furniture thereof, every Person or Persons offending therein, being convicted thereof by Indictment at the Assizes or General Quarter Sessions of the Peace to be holden for the said City and County of the City of *Coventry*, or otherwise upon Information or Complaint before any Five or more of the said Trustees, as herein after is prescribed with respect to Offences against this Act, which are made subject to and punishable by any pecuniary Penalties by this Act inflicted, shall for the First Offence forfeit the Sum of Twenty Shillings, for each Lamp so broken, thrown down, taken away, extinguished, damaged, or spoiled, or the Posts, Irons, or Furniture thereof so damaged, and for the Second Offence the Sum of Forty Shillings, and for the Third and every other Offence the Sum of Three Pounds; the said several Penalties to be recovered by Action of Debt, with full Costs of Suit, in any of his Majesty's Courts of Record at *Westminster*, in the Name or Names of any One or more of the said Trustees, in case of Conviction by Indictment; but in case of Conviction upon Information or Complaint before Five or more of the said Trustees, by virtue of the Powers herein after given to them, then the said Penalties to be recovered and levied in such Manner, as other Forfeitures and Penalties are to be recovered and levied by virtue of this Act; and in Case any Person or Persons shall carelessly, negligently or accidentally, break, throw down, or otherwise damage any of the said Lamps so put up as aforesaid, or the Irons, Posts, or other Furniture thereof, or extinguish the Lights thereof, and shall not immediately, upon Demand, make Satisfaction for the Damage done thereto, then and in such Case, it shall and may be lawful to and for any Three or more of the said Trustees, upon Complaint thereof to them made by any One or more credible Person or Persons, to summon before them the Party or Parties accused, and the Witnesses on either Side; and upon hearing the Allegations and Proofs of both Parties, upon Oath, or Affirmation of any of the People called Quakers, (which Oath or Affirmation such Trustees are hereby impowered to administer) or Non-appearance, or Confession of the Party, such Summons being first proved, to award such Sum or Sums of Money, by way of Satisfaction for such Damage, as such Trustees shall think reasonable, and in case of Refusal or Neglect to pay any of the Sums of Money so

awarded within Three Days after demanded, to cause the same, by Warrant under the Hand and Seal, or Hands and Seals of such Trustees to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons who shall so have done such Damage; rendering to him, her, or them, the Overplus if any shall be (after deducting the Costs and Charges of such Warrant, and of such Distress and Sale, when demanded.

Lamps may be set up, or taken down, as the Trustees shall think fit.

And be it further Enacted by the Authority aforesaid, That from and after the said Twenty-ninth Day of July, One Thousand Seven Hundred and Sixty-two, it shall and may be lawful to and for the said Trustees, so assembled as aforesaid, or the major Part of them, being not less than Five, and they are hereby authorized and impowered, from Time to Time, as there shall be Occasion, to affix and set up, alter and take down, or cause to be affixed and set up, altered and taken down, such and so many Lamps as they shall from Time to Time find necessary and expedient, in, upon, or from any dead Walls, and the outside Walls of any House or Buildings within the said City and Suburbs, making good all such Damages as may at any Time happen to be done thereby.

Copies of Regulations for the Watchmen to be delivered to the Chief Constable, who is to give Notice thereof to the other Constables.

And it is hereby further Enacted by the Authority aforesaid, That the said Trustees, or the major Part of them, being not less than Five in Number, at any of their said Meetings, shall with all convenient speed cause a true Copy or Transcript of all such Orders and Regulations as they shall from Time to Time make for the better Direction and Government of the Watchmen, to be delivered to the chief Constable of the said City, for the Time being, who shall immediately upon his Receipt thereof, give due Notice of such Orders and Regulations to each of the Constables of the said City, and that one or more of the said Constables, from and after the said Twenty-ninth Day of July, Progressively, and by Rotation throughout the said City, shall attend every Night, at such Time, and so long to Watch and Ward, and be assisting to the said Watchmen, as the said Trustees so assembled as aforesaid, or the major Part of them, not being less than Five, shall appoint; and that the said chief Constable shall attend every Night at such Time, and so long, to settle and fix the said Night-Constable or Night-Constables, and the said Watchmen, at their Stations and Rounds, as the said Trustees shall appoint; and the said Night-Constable or Night-Constables, and all and every the said Watchmen, in their several Rounds and Courses of Watching, shall, and they are hereby severally impowered and required, to use his and their best Endeavours to prevent and stop as well all Mischiefes happening, or likely to happen, by Fire, as all Murders, Burglaries and Robberies, and to secure and apprehend all Night Walkers, Malefactors, and disorderly and suspected Persons, and to detain and safely keep every such Person or Persons so apprehended, in Custody, and to convey him, her, or them, as soon as conveniently may be, before any one or more Justice or Justices of the Peace of and for the said City for the Time being, in order to be examined and dealt with according to Law,

Night-Constable's Duty.
Chief Constable's Duty.

Power to apprehend disorderly or suspected Persons, &c.

and

and every such Night-Constable or Night-Constables, shall Twice, or oftner, at convenient Times in every Night, go about the said City and Suburbs, and take Notice whether all the Watchmen perform their Duties in their several Stations, according to such Orders and Regulations as shall have been made for that Purpose by the said Trustees as aforesaid; and in Case any such Night-Constable or Night-Constables, or any of the said Watchmen, shall misbehave himself or neglect his Duty, the said Chief Constable, and the said Night-Constable or Night-Constables respectively, or one of them, shall as soon as conveniently may be, give Notice thereof to the said Trustees, or any Five or more of them, to the End that they may be forthwith summoned for the Examination and Punishment of such Offence.

Night-Constables to oversee the Watchmen.
Notice to be given of any Misbehaviour in Night-Constables, or Watchmen.

And be it further Enacted by the Authority aforesaid, That if any of the said Chief Constable, Night-Constable, or Night-Constables, or Watchmen, shall wilfully neglect his or their respective Duty as herein before prescribed and directed, the Person or Persons so offending, shall for every Offence respectively forfeit the Sum of Twenty Shillings.

Chief Constable, Night Constables or Watchmen, neglecting their Duty.

And to the End, That the common Wells and Pumps within the said City and Suburbs, may for the future be duly ordered and maintained, Be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, so assembled as aforesaid, or the major Part of them, being not less in Number than Five, at any of their said Meetings, to contract with any Person or Persons, either yearly or otherwise, as there may be Occasion, for the ordering, cleansing, and repairing the common Wells and Pumps aforesaid, and for the putting down any new Pumps in the room of such as may be worn out or decayed, and make and enter into any such other Contracts and Agreements, as they shall judge expedient and proper for the due Order and Regulation of the Premises; and all and every Person and Persons with whom any such Contracts shall be made, shall and may, and they are hereby respectively authorized and impowered for the Purpose of fulfilling any such Contracts, to take up, or cause to be taken up, any such Pumps, and any of the Pavement near or belonging thereto, as there may be Occasion, repairing and making the same good again, and to do all other Acts and Things expedient and necessary in the Premises.

Regulations as to the common Wells and Pumps.

And be it Enacted by the Authority aforesaid, That all and every Person and Persons who shall wantonly, wilfully, carelessly, or maliciously, break, throw down, pull up, damage or injure any of the said common Wells, or Pumps, or any Irons, Stones, Pavements, or other Materials and Things belonging thereto, or shall so throw, or convey, or cause or procure to be thrown and conveyed, any Filth or Nastiness therein, so as to render the Water thereof bad and unfit for any of the Uses to which the same may have been usually and generally applied, and might otherwise have been fit for, every such Person so offending in any of the Matters aforesaid, which shall be taken and deemed distinct and separate, shall for the First Offence forfeit the Sum of Twenty Shillings,

Damaging any common Wells or Pumps.
First Offence.

Second, lings, and for the Second Offence the Sum of Forty Shillings, and for
Third, the Third and every other Offence the Sum of Three Pounds.

Cleanfing the River Sherborne. And be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for any such Scavenger or Scavengers as aforesaid, or such other Person or Persons as the said Trustees so assembled as aforesaid, or the major Part of them, not being less in Number than Five, shall appoint, and they are hereby authorised and required from and after the said Twenty-ninth Day of July, Twice, or oftner in every Year yearly, that is to say, between the First Day of February and the last Day of March, and the First Day of September and the last Day of October, or at any other Time or Times as the said Trustees shall in their Discretions appoint, to cleanse, scour, and clear (as there may be Occasion) such Parts of the River Sherborne as runs, or is within, or near adjoining to the said City or Suburbs, and to cut away and remove any Banks, Stones, or Earth, that shall project out into the Bed and Channel of the said River, so as to obstruct and hinder the Stream and Course thereof, and to remove all Obstructions and Annoyances whatsoever upon the same, and for that Purpose it shall and may be lawful to and for such Scavenger or Scavengers, or other Person or Persons as aforesaid, at all convenient Times in the Day time, to come into and upon any Lands, Meadows or other Grounds, upon the Banks of the said River, with all such Tools, Implements, Horses, Carts and Carriages, as shall be necessary for the Purposes aforesaid, and also to come into and upon any Yards, Gardens, Backsides, and other Places, upon the said Banks, with all necessary Tools and Implements, (except Horses, Carts and Carriages) doing as little Damage to the Owners or Occupiers of such Lands, Meadows, Grounds, Yards, Gardens or Backsides as may be.

To come upon any Lands, &c. for that Purpose.

Annoyances in the River.

And be it Enacted by the Authority aforesaid, That all and every Person and Persons who from and after the said Twenty-ninth Day of July, shall wilfully and maliciously throw any Earth, Timber, Dung, Stones, or other Materials, into such Parts of the said River, as are herein before mentioned and described, whereby to dam up, hinder or obstruct the Stream and Course thereof, or shall in any Manner annoy the free Vent and Passage thereof, every such Person so offending, shall for the First Offence, forfeit the Sum of Twenty Shillings, and for the Second Offence, the Sum of Forty Shillings, and for the Third, and every other Offence, the Sum of Three Pounds.

First Offence, Second, Third.

Dyers, &c. not to be restrained from a reasonable Use of the River.

Provided always, and be it Enacted by the Authority aforesaid, That nothing herein contained, shall extend, or be construed to extend, to restrain any Dyers, Scowerers, Pressers, or others, from making Use of the said River, in their respective Trades and Business, so far as it can be done without any material Hindrance or Obstruction to the Stream and Passage thereof, any Thing herein before contained to the contrary notwithstanding.

Trustees may purchase Houses, &c. to widen the Streets.

And be it further Enacted by the Authority aforesaid, That in case the said Trustees so assembled as aforesaid, or the major Part of them,

them, being not less in Number than Five, shall think proper to widen any narrow Parts of the said Streets, Highways, Causeways, Lanes and Passages, within the City or Suburbs aforesaid, it shall and may be lawful for the said Trustees so assembled as aforesaid, or the major Part of them, being not less than Five, at any Time or Times after the said Twenty-ninth Day of July, to contract and agree for the purchasing (if they can) of all Houses, Tenements, Edifices, Erections, Buildings, Ground and Hereditaments, now standing or being in the said Streets, Highways, Causeways, Lanes and Passages, or contiguous or adjoining thereto, which the said Trustees so assembled as aforesaid, or the major Part of them, being not less in Number than Five, shall adjudge necessary and proper to be taken down and removed, for the widening, enlarging and improving such Parts of the said Streets, Highways, Causeways, Lanes and Passages, as are narrow and incommodious; and that upon Payment of such Sum or Sums of Money as shall be agreed to be paid for the same, and in Case no Agreement shall be made, for the same, on making Satisfaction in Manner herein after mentioned, to all Owners of and Persons interested in such Houses, Tenements, Edifices, Erections, Buildings, Ground and Hereditaments; and to the Lessees and Occupiers of all Houses or Tenements which shall be ordered or deemed necessary to be taken down, and of all Ground which shall be deemed necessary to be laid to the said Streets, Highways, Causeways, Lanes and Passages, for the Enlargement thereof; the said Trustees so assembled as aforesaid, or the major Part of them, being not less in Number than Five, are hereby authorized and required, with all convenient Speed afterwards, to cause to be taken down all such Houses, Tenements, Edifices, Erections and Buildings, as they shall deem necessary and proper to be taken down for the Purposes aforesaid; and also to cause the Materials thereof to be removed and taken away, after any such Houses, Tenements, Edifices, Erections and Buildings, shall be taken down; and this Act shall be sufficient Authority to indemnify the said Trustees, and all Persons authorized by them for so doing, against the Heirs, Executors, Administrators and Assigns, of all and every the Owners of, and all other Persons, interested in any such Houses, Buildings and Ground, and the Lessees and Occupiers thereof, as if the same had been sold by Deed of Feoffment, Bargain and Sale, Fine, Recovery or other Assurance in the Law whatsoever.

And whereas, it may happen that some Persons or Bodies Politick, Corporate or Collegiate, Feoffees in Trust, Femes Covert, or others, who are seized of some Houses, Edifices, or Grounds, which may be deemed necessary to be pulled down or purchased, and set out or assigned, for widening and enlarging such narrow and incommodious Parts of the said Streets, Highways, Causeways, Lanes and Passages, as aforesaid, may be willing to treat and agree to sell such Houses, Edifices and Grounds, to perfect so useful and necessary a Work, but are incapable of selling, granting or conveying the same.

Bodies Politick, &c. impowered to sell.

Be it therefore Enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Guardians, or other Trustees whomsoever, and for all Femes Covert, and every other Person and Persons whomsoever, who are or shall be seized, possessed of, or interested in any such Houses, Edifices, Tenements, or Ground, to sell and convey all or any such Houses, Edifices, Tenements and Ground, or any Part thereof, and all their Estates, Rights, Titles, and Interests whatsoever, of in and to the same, to the said Trustees, and their Successors, or to such Persons, and their Heirs, and upon such Trust as the said Trustees, so assembled as aforesaid, or the major Part of them, being not less than Five, shall direct, for the Purposes in this Act mentioned, and that all Contracts, Agreements, Sales and Conveyances, which shall be so made, by virtue and in Pursuance of this Act as aforesaid, shall without any Fine or Fines, Recovery, or Recoveries, or other Conveyance or Assurances in the Law whatsoever, be good, valid, and effectual, to all Intents and Purposes, any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof in any wise notwithstanding; and that all such Persons are and shall be hereby indemnified for what they shall do by virtue or in pursuance of this Act.

Where any Persons shall refuse to treat, or are prevented from treating, or refuse to sell,

Power to sell

Power to sell

Or shall not make out a Title,

Trustees to issue a Precept to summon a Jury.

And be it further Enacted by the Authority aforesaid, That if any Body Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Femes Covert, or other Person or Persons whomsoever, in and by this Act, impowered and qualified to contract, sell, convey and dispose of any Part of the Premises for the Purposes herein before mentioned, shall refuse to treat and agree as aforesaid, or by reason of Absence shall be prevented from treating and agreeing, or shall decline, or refuse to sell, convey and dispose of the Premises, whereof, wherein, or whereunto, they respectively shall be so seized, possessed, interested, or intitled as aforesaid, or their respective Rights, Titles, Claims, or Interests, to, in, or upon the same, or any Part thereof, unto the said Trustees and their Successors, or such Person or Persons as the said Trustees so assembled as aforesaid, or the major Part of them, not being less in Number than Five, shall appoint, for the Purposes, and according to the Tenor, true Intent and meaning of this present Act, or shall not produce or make out a clear Title to the Premises they are in Possession of, or to the Interest they claim thereto, to the Satisfaction of the said Trustees so assembled as aforesaid, or the major Part of them, not being less than Five, it shall and may be lawful to and for the said Trustees so assembled as aforesaid, or the major Part of them, not being less than Five, and they are hereby impowered and authorized to issue a Warrant or Warrants, Precept or Precepts, to the Sheriffs of the said City, or to the Coroner of the said City for the Time being, in Case the said Sheriffs or either of them shall be of Affinity to the Owners or Proprietors of, or other Person or Persons interested in such Houses, Edifices, Tenements, Erections, Buildings and Ground, which shall be deemed

deemed necessary to be purchased, or shall themselves be interested therein, or in any Part thereof, or shall happen to be a Trustee or Trustees for putting this Act in Execution) who are and every of them is, hereby authorized, directed and required accordingly, to impanel and return a competent Number of substantial disinterested Persons, within the said City, and not less than Twenty-four, and out of such Persons so to be impanelled, summoned and returned, a Jury of Twelve Persons shall be drawn by any indifferent Person then present, in such Manner as Juries for the Trial of Issues, joined in his Majesty's Courts at Westminster, by an Act made in the Third Year of the Reign of his late Majesty, intituled 'An Act for the better Regulation of Juries,' are directed to be drawn; which Persons so to be impanelled, summoned and returned, as aforesaid, are hereby required to come and appear before the said Trustees so assembled as aforesaid, or the major Part of them, being not less in Number than Five, at such Time and Place as in such Warrant or Warrants, Precept or Precepts, shall be directed and appointed, and to attend there, from Day to Day, until discharged by the said Trustees; and all Persons concerned shall have their lawful Challenges (but not challenge the Array of the Panel) against any of the said Jurymen when they come to be Sworn; and the said Trustees so assembled as aforesaid, or the major Part of them, being not less than Five, are hereby authorized and impowered, by Precept or Order, from Time to Time, as Occasion shall require, to call before them all and every Person and Persons whomsoever who shall be thought necessary to be examined as Witnesses before them, and to examine them on their Oath or Oaths, or being of the People called Quakers, on their Affirmation or Affirmations, touching and concerning the Premises; and if they think fit, shall and may likewise authorize the said Jury to view the Place or Places, or Matters in question, in such manner as they shall direct, and shall have Power to adjourn such Meeting from Day to Day, as Occasion shall require; and such Jury, Witnesses and Parties shall attend until all such Affairs for which they were summoned shall be concluded; and the said Jury, upon their Oaths, shall enquire of the Value of such Houses, Ground, Tenements, Edifices, Erections and Buildings, which shall be necessary to be purchased, and of the respective Estate and Interest of every Person seized or possessed of, or interested therein, or in any Part thereof; and shall assess the Sum and Sums to be paid to every such Person or Persons for the Purchase of such their Estates and Interests, which shall be deemed necessary to be so purchased; and the said Trustees so assembled as aforesaid, or the major Part of them, being not less than Five, shall and may give Judgment for such Sum and Sums of Money so to be assessed; which said Verdict or Verdicts, or Inquisition of the said Jury, and the said Judgment, Decree and Determination thereon, (Notice in Writing being given to the Person or Persons interested, at least Fourteen Days before the Time of such Assessment, declaring the Time and Place of the Meeting

Who are to be drawn as per Act of George II. C 25. directs.

Jury may be challenged.

Trustees may summon and examine Witnesses on Oath.

And direct a View.

Power to adjourn.

Jury to assess the Value of any Houses, &c.

Trustees to give final Judgment.

Previous Notice to be given to the Parties interested.

Meeting of the said Trustees as aforesaid, and Jury, by leaving such Notice at the Dwelling-house of such Person or Persons, or at his, her or their usual Place or Places of Abode, or with some Tenant or Occupier of some of the said Houses, Ground, Tenements, Edifices, Erections or Buildings, intended to be valued and assessed, in Case such Party cannot otherwise be found out, to be served with such Notice) shall be binding and conclusive to all Intents and Purposes whatsoever, as well against all and every Person and Persons, Bodies Politick, and Corporate, claiming any Estate, Right, Title, Trust, Use, or Interest into or out of the same, either in Possession, Reversion, Remainder, or Expectancy, as well Infants, and Issue unborn, Lunaticks, Ideots, and Females Covert, and Persons under any other legal Incapacity or Disability, and all other Cestuique Trusts, his, her and their Heirs, Successors, Executors and Administrators, as against all other Persons whomsoever; and for Default of a sufficient Number of Jurymen, the said Sheriffs, and Coroner respectively, who shall return such Jury, shall return other substantial and disinterested Persons of the Standers by, or that can speedily be procured to attend that Service to the Number of Twelve.

Verdict of the
Jury and
Judgment to
be conclusive.

Upon Pay-
ment of the
Purchase Mo-
ney, Convey-
ance to be ex-
ecuted of the
Premises, to
the Trustees
&c.

And it is hereby further Enacted and Declared, That upon Payment of such Sum or Sums of Money so to be assessed, and decreed as aforesaid, for the Purchase of such Houses, Tenements, Edifices, Erections, Buildings, Ground and Hereditaments as aforesaid, or for the Purchase of any Estate or Interest therein, the Person or Persons to whom such Money shall be so assessed and decreed, shall make and execute, or procure to be made and executed, good, valid, and legal Conveyances and Assurances in the Law, to the said Trustees, or to such Person or Persons, and upon such Trust, as the said Trustees so assembled as aforesaid, or the major Part of them, being not less than Five, shall direct and appoint, and their Heirs, of such Houses, Tenements, Edifices, Erections, Buildings, Ground, and Hereditaments or of such Estate, or Interest for which such Sum or Sums of Money shall be so awarded; and shall procure all necessary Parties to execute such Conveyances, Assignments, and Assurances, and shall do all Acts, Matters, and Things, necessary or requisite to make a clear, good, and perfect Title to such Premises, to the said Trustees; and such Conveyances, Assignments, and Assurances, shall contain all such reasonable and usual Covenants as shall on the Part of the said Trustees be required; and in Case such Person or Persons to whom any such Sum or Sums shall be so awarded or due as aforesaid, shall not be able to evidence their Title to the Premises, to the said Trustees so assembled as aforesaid, or the major Part of them, being not less in Number than Five, and to make, or procure to be made, good, valid, and legal Conveyances thereof, to the said Trustees, or to such Person or Persons as the said Trustees so assembled as aforesaid, or the major Part of them, being not less than Five, shall appoint, or shall refuse so to do, being thereto required,

For want of a
good Title
and legal
Conveyance,
or in Case of
Refusal to
Convey,

required, and such Sum or Sums so assessed and awarded, or due as aforesaid, being produced and tendered to be paid to them, on their making such Title, and executing, and procuring to be executed, such Conveyances, Assignments, or Assurances as aforesaid; or if in Case such Person or Persons to whom such Sum or Sums of Money shall be so assessed or due as aforesaid, cannot be found in the said City or Suburbs, Or the Parties are not to be found, or in Case that by reason of Disputes depending in any Court of Law or Equity, or for Defect of Evidence, it shall not appear to the said Trustees so assembled as aforesaid, or the major Part of them, being Or by Disputes, or want of Evidence, it shall not appear who is intitled, not less in Number than Five, what Person or Persons is or are intitled; or if any Mortgagee shall refuse to take in his or her Mortgage Money due on the Premises, after Notice given to him or her for that purpose, Or Mortgagee refuse to take his Money, as herein before is provided, that then, and in all and every such Case and Cases, it shall and may be lawful to and for the said Trustees, so assembled as aforesaid, or the major Part of them, being not less than Five, to order the Sum or Sums so assessed and awarded as aforesaid, as the Value of and Purchase Money for such Houses, Tenements, Edifices, Erections, Buildings, Ground, and Hereditaments, or as shall be due on any such Mortgage, to be paid into the Bank of England, Trustees may pay the Money into the Bank, for the use of the Parties interested in the said Premises, to be paid to them, and every of them, according to their respective Estates and Interests in the said Premises, as the said Trustees so assembled as aforesaid, or the major Part of them, not being less than Five, shall by any Order to be made by them, direct; and the Cashier or Cashiers of the Bank of England, who shall receive such Sum and Sums, is Receipt to be given for the same, specifying for what Premises and Uses, and are hereby required to give a Receipt or Receipts for such Sum or Sums, mentioning and specifying for what Premises, and for what Use the same is and are received, to such Person as shall pay such Sum or Sums into the Bank of England as aforesaid; and immediately on such Payment, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim and Demand in Law and Equity, of the Person or Persons (for whose Use the same was paid) in, to, and out of such Houses, Tenements, Edifices, Erections, Buildings, Ground, and Hereditaments, shall vest in the said Trustees, and they shall be deemed in Law to be in the actual Possession thereof, to all Intents and Purposes, as fully and effectually, as if every Person having any Estate in the said Premises, had actually conveyed the same by Lease and Release, Bargain and Sale inrolled, Feoffment with Livery and Seisin, Fine and Recovery, or any other legal Conveyance whatsoever; and such Payment shall not only bar all Right, Title, Interest, Claim and Demand, of the Person and Persons to whose Use such Payment was made, but also shall extend to and be deemed and construed to bar the Dower and Dowers of the Wife and Wives of such Person or Persons, and all Estates Tail and Remainders and Reversions expectant thereon, and shall be a good and legal Bar against the Issue and Issues of such Person and Persons, and all and every other Person and Persons, as effectually as a Fine or Recovery would do, Premises thereon to vest in Trustees absolutely.

or would have done, if levied or suffered by the proper Parties in due Form of Law.

Mortgagee on
Three Months
Notice,

And be it further Enacted by the Authority aforesaid, That every Mortgagee and Mortgagees of any House or Houses, Edifices, Erections, Buildings, Ground, and Hereditaments, which shall be purchased in Pursuance of this Act, his, her, and their Heirs, Executors, Administrators, or Assigns, on having Three Months Notice in Writing given to him, her, or them, from the said Trustees so assembled as aforesaid, or the major Part of them, being not less in Number than Five, or any Person authorized by them, that they will pay off and discharge the Principal and Interest Money, which at the Expiration of the said Three Months shall be due on any such Mortgage, shall at the End of the said Three Months after every such Notice, on Payment or Tender of the Principal and Interest Money, which shall be then due, convey and assign his, her, and their respective Estates and Interests in and to the said mortgaged Premises, to the said Trustees, or such Person or Persons, and on such Trust, as the said Trustees so assembled as aforesaid, or the major Part of them, being not less than Five, shall appoint; and if any such Mortgagee or Mortgagees, his, her, or their Heirs, Executors, Administrators, or Assigns, shall refuse so to do, then all Interest on every such Mortgage, from the Expiration of the said Three Months, after any such Notice given as aforesaid, shall cease and determine.

is to assign
over the Pre-
mises on Ten-
der of Pay-
ment.

On his Refu-
sal Interest to
cease.

Trustees may
fine the Sher-
iffs, Coroner,
their Deputies
or Officers,
Jury, and Wit-
nesses making
Default;

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful for the said Trustees so assembled as aforesaid, or the major Part of them, being not less in Number than Five, from Time to Time, to impose any reasonable Fine, not exceeding the Sum of Five Pounds, on the aforesaid Sheriffs, and Coroner, or their Deputy or Deputies, Bailiffs or Agents respectively, who shall make any Default in the Premises, and on any Persons who shall be summoned and returned on any such Jury or Juries who shall not appear, or refuse to be sworn on the said Jury, or being sworn, shall refuse to give his or their Verdict, or in any other Manner wilfully neglect his or their Duty therein, contrary to the true Intent and Meaning of this Act; and on any Witness or Witnesses, who shall not attend, or who shall attend and refuse to be sworn or affirmed, or who being sworn or affirmed, shall refuse to give Evidence,

Purchase Mo-
ney to be paid
to the Nomi-
nee in Trust,
and to be re-
invested in
Purchase of
other Messu-
ages, &c. sub-
ject to like
Uses.

And be it further Enacted and Declared, That the Principal Money arising from the Sale of any Houses, Tenements, Edifices, Erections, Buildings, Ground, and Hereditaments, which shall be purchased for the Purposes contained in this Act, of any Body Corporate or Collegiate, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees, or other Trustees, or from any Feme Coverts, shall be paid to such Persons as they shall respectively nominate to receive the same, in Trust, with all convenient Speed, to be re-invested in the Purchase of other Messuages, Lands, Tenements, and Hereditaments, to be conveyed and settled to and upon, and subject to the like Uses, Trusts, Limitations,

tions, Remainders, and Contingencies, as the Houses, Tenements, Edifices, Erections, Buildings, Ground, and Hereditaments, which shall be purchased from them respectively by the said Trustees as aforesaid, were respectively settled, limited, or assured at the Time of such the purchasing of the same, or so many thereof, as at the Time of making such Conveyances and Settlements shall be existing, and capable of taking Effect.

And it is hereby further Enacted by the Authority aforesaid, That Trustees to be added to the said Trustees so assembled as aforesaid, take down and remove any Houses, &c. conveyed to or vested in them, or the major Part of them, being not less in Number than Five, and they are hereby required with all convenient Speed, after any Houses, Tenements, Edifices, Erections, Buildings, Ground, and Hereditaments, shall be conveyed to, or vested in the said Trustees, by virtue and in pursuance of this Act, to cause such Houses, Tenements, Edifices, Erections, and Buildings, to be taken down and removed, and as well the Ground and Scite thereof, as such other Ground and Hereditaments as aforesaid, to be added and laid open to the Street, Highway, Causeway, Lane, or Passage, to which the same shall be contiguous and adjoining; and thereupon and from thenceforth for ever, the same shall be deemed and taken to be, and shall be, to all Intents and Purposes, a publick and common Street and Highway, and be under and subject to the like Regulations, as are by this or any other Law appointed, with respect to the Streets and Highways within the City and Suburbs aforesaid; And all the Materials whatsoever of all such Houses, Tenements, Edifices, Erections, and Buildings, as shall be taken down by virtue of this Act, shall be and are hereby vested in the said Trustees, and shall and may, by them, or the major Part of them so assembled as aforesaid, not being less in Number than Five, be sold and disposed of for the best Price that can be got for the same; and the Money arising by such Sale shall be applied for the Uses and Purposes, and according to the Powers by this Act appointed, directed, and prescribed. Materials of Houses taken down, vested in and to be sold by the Trustees, and the Money to be applied to the Purposes of this Act.

Provided always, and it is hereby Enacted, by the Authority aforesaid, That no Trustee or Trustees shall act in any Case under any of the Powers in this Act contained, where he or they, on his or their own Parts, is or are any ways particularly interested or concerned, nor during the Time he or they shall hold any Place of Profit under this Act; but all such Trustees as are Justices of the Peace may act as Justices of the Peace in the Execution hereof, notwithstanding their being Trustees; and the said Trustees at all their Meetings, shall defray their own Expences. No Trustee to act where interested, or has any Place of Profit; but may act as Justices, and to defray their own Expences.

And whereas, within the Suburbs of the said City of Coventry, there is a certain hollow Way, being Part of the common Street, or Highway there, extending along the Side of the Causeway there called *Spon Causeway*, from the End of the said Causeway, next to the *Bargates* there, to *Spon Brook*, and to or near a Stone Building belonging to the Company of Clothiers in the said City called *Spon Chapel*, and it would be of great Utility and Convenience, as well to the said City and Suburbs in general,

neral, as to all the Inhabitants living in or near the said hollow Way, to have the same sloped down, or otherwise filled up and levelled;

Trustees im-
powered to fill
up Part of
Spon Brook,

Be it therefore further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, so assembled as aforesaid, or the major Part of them, not being less than Five in Number, to contract and agree with any Person or Persons, for the sloping down, filling up, or levelling the said hollow Way, and for any Materials necessary to be used therein, and for any Carriages that shall be necessary to be employed for such Purpose; or shall and may, in any other Manner they shall think proper, cause the same to be sloped down, filled up, or levelled, so that during the doing thereof, a convenient Road or Passage be set out or left open for Horses and Carriages safely to pass and go along the same; which the said Trustees are hereby required to cause to be set out or left open accordingly; and the said hollow Way, when sloped, filled up, or levelled as aforesaid, shall by the said Trustees, and they are hereby required to cause the same to be gravelled, and made a good and commodious Road for Horses, Waggons, Carts, and Carriages; or shall otherwise cause the same to be paved, as the said Trustees so assembled as aforesaid, or the major Part of them, being not less than Five in Number, shall direct and appoint.

and gravel or
pave it.

The same to
be a publick
Street, &c.
subject to the
Regulations
in this Act.

And it is hereby further Enacted by the Authority aforesaid, That the said hollow Way when so sloped, filled up, or levelled as aforesaid, shall continue to be, and shall be deemed and taken to be, to all Intents and Purposes, a publick and common Street, or Highway, and shall be under and subject to the like Regulations, as are by this or any other Law appointed with respect to Streets and Highways within the City and Suburbs aforesaid.

Contractors
failing in the
Execution of
their Con-
tracts liable to
Actions.

And be it further Enacted by the Authority aforesaid, and it is hereby Declared, That all Contracts entered into at any Meeting of the said Trustees with any Workmen or other Person or Persons, for any of the Purposes of this Act, shall be binding upon such Workmen or other Person or Persons making the same; and that Actions and Suits in the Name of the Clerk or Clerks, Treasurer or Treasurers of the said Trustees for the Time being, shall and may be maintained thereon, and Damages and Costs recovered against the Parties failing in the Execution thereof, and that the Sum of Money requisite for fulfilling the said Contracts, according to the true Intent and Meaning thereof, shall be the Measure of the Damages to be recovered in any Action against such Contractor or Contractors as aforesaid, making Default in fulfilling his said Contract, any Law or Usage to the contrary notwithstanding, and all such Damages and Costs as shall be so recovered, shall be applied to the Uses and Purposes of this Act.

Assessors to be
appointed.

And for defraying the Expences of obtaining, or by reason of passing or putting this Act in Execution; Be it further Enacted by the Authority aforesaid, That from and after the said Twenty-ninth Day of July the said Trustees so assembled as aforesaid, or the major Part of them,

them, not being less in Number than Five, shall and may yearly, and every Year, and so often as there shall be Occasion, under their Hands and Seals nominate and appoint, and they are hereby impowered and required to nominate and appoint (under such Regulations and Directions, as are herein before prescribed, with respect to the Appointment of Officers under this Act) Four or more Inhabitants or Residents in each Parish in the City or Suburbs aforesaid, to be Assessors of and for their said Parishes respectively, and shall and may, and they are hereby required, at their First or any subsequent Meeting or Meetings, in pursuance of this Act, to state, set down, and ascertain, what Sum and Sums of Money shall be raised by Taxation, in manner herein after mentioned, by and out of each Parish in the said City of *Coventry*, and the Suburbs thereof, so that the whole Money they shall so ascertain, to be raised within any One Year, shall not exceed the Sum of Twelve Pence in the Pound; and to fix and ascertain the Proportion of such Money so to be raised in each Parish, according to, and to be guided by, the total Sum which shall be raised and paid by and out of each such Parish for the Time being, to the general County Levies, for the City and County of the City of *Coventry*, in each preceding Year; and they are hereby authorized and required to issue, and as soon as may be, to send out, and to direct their Order, under the Hands of the major Part of them so assembled as aforesaid, not being less than Five, to the said Assessors of each of the said several Parishes for the Time being, expressing the Money so fixed to be raised by, and out of each such Parish as aforesaid, and thereby to command and require the said Assessors of each such Parish jointly and severally, to rate and assess the said respective Sums by Taxation and Assessment, of, and upon all Tenants and Occupiers, (which Tenants and Occupiers shall and are hereby made liable to pay the whole of every such Rate) of all such Messuages, Houses, Stables, Coach-houses, Shops, Cellars, Vaults, Ware-houses, Malt-houses, Granaries, Brew-houses, and other Buildings (except such Sheds or Shops, that are or may be set up by the said Mayor, Bayliffs, and Commonalty in the aforesaid Market-Place,) Yards, Gardens, or Garden Grounds, and Orchards, situate, lying, and being within the said City and Suburbs, according to the true annual Rent or Value thereof respectively; and also upon all Boarders and Lodgers of the Age of Twenty-one Years or upwards, whose chief and usual Residence and Abode shall be within the City or Suburbs aforesaid, having regard to their Circumstances and Abilities, not exceeding Ten Shillings in any one Year, upon any such Boarder or Lodger; which Rate or Rates, so to be charged and laid upon such Boarders and Lodgers, shall be paid exclusive of the Rates to be charged upon the Houses wherein they shall respectively board and lodge, and also upon the aforesaid Mayor, Bayliffs, and Commonalty, (over and besides any Rates or Assessments they may be otherwise liable to by this Act) in respect of the aforesaid Street or Place called

G

the

Trustees to ascertain the Money to be raised in each Parish, not exceeding 12d in the Pound,

in the like Proportion as the County Levy.

Orders to Assessors to make Rates,

On Tenants and Occupiers,

and on Lodgers not exceeding 10s. a year.

and the Corporation for the Market-Place and Pavement about the Cross

Where any House has several Occupiers, Assessors to apportion the Rates.

Trustees may ascertain the Proportion of Rates by any other Rule than County Levy.

All Publick Buildings to be rated,

Except Work-houses and Almshouses.

the Market-Place, and such Part of the Street or Pavement before the said Mayor's Walk, and round the Market-Cross aforesaid, as are herein before mentioned; regard being always had therein, as well to the particular Circumstances and Situation of such Streets or Pavements, by which they may be more or less exposed to be broke up or annoyed, as to the Compass and Extent thereof, and the number of Lamps which shall be found necessary for the lighting the same; and where any of such Houses, Buildings, and other Premises as before-mentioned, shall be tenanted or occupied by different and several Tenants or Occupiers, then the said Assessors of each of the said Parishes respectively, shall and are hereby impowered and required to divide and apportion the Share or Part of every such Rate or Assessment as aforesaid, according to the Value of the particular Part thereof so held by each such Tenant or Occupier, in Proportion to the whole yearly Value.

Provided always, and be it further Enacted by the Authority aforesaid, That in case the said Trustees so assembled as aforesaid, or the major Part of them, being not less in Number than Five, shall at any Time or Times be dissatisfied with the aforesaid County Levies, as the Rule and Guide by which to ascertain the Proportion of the Money to be raised in each Parish, within the said City and Suburbs, as herein before mentioned; that then and in any and every such Case, the said Trustees so assembled as aforesaid, or the major Part of them, being not less in Number than Nine, of whom Four at the least to be then Inhabitants of the Parish of Saint *Michael* in the said City, and Four at the least to be then Inhabitants of the Parish of the *Holy Trinity* in the same City, shall and may, and they are hereby impowered and required, to fix and ascertain such Proportion in such other Manner, or by such other Rule, as they in their Discretions shall judge to be more proportionable and equal, any thing herein contained to the contrary thereof notwithstanding.

And for as much as it is reasonable that all Publick Buildings should be rated and assessed in a due Proportion towards the good and beneficial Purposes of this Act;

Be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Assessors appointed in pursuance of this Act, and they are hereby required, when and at such Time and Times as the Rates and Assessments hereby directed to be made shall from Time to Time be made, to rate and assess every Parish Church, Church-yard, Meeting-house, Goal, House of Correction, County-Hall, Publick-School, and all Publick-Halls, Hospitals, and other Publick Buildings whatsoever, (except Parish Work-houses and Almshouses) situate and being in the respective Parishes within the said City or Suburbs for which they shall respectively be Assessors as aforesaid, for and towards the Uses and Purposes of this Act; such regard

regard being had therein as is before directed and prescribed with respect to the rating the said Mayor, Bayliffs, and Commonalty.

And it is hereby further Enacted by the Authority aforesaid, That ^{Who to be} the Treasurer or Treasurers for the Time being of the said Mayor, ^{rated in re-} Bayliffs, and Commonalty, the Treasurer or Treasurers for the Time ^{spect of such} being of the County of the said City, and all and every the respective ^{Publick Build-} Church-wardens for the Time being of the several Parish Churches,

the respective Feoffees, Trustees, or Head Officers for the Time being of all Meeting-houses, the respective Bayliffs, Receivers, or Masters for the Time being, of all Schools and Hospitals, and the Master, Wardens, or other Head Officers for the Time being of the Company of Drapers in the said City; and the Occupiers or Proprietors of all other Publick Buildings and Places within the City or Suburbs aforesaid, shall be, and they respectively are hereby charged with and required to pay the respective Rates and Assessments, which shall from Time to Time be so rated and assessed upon the said respective Publick Buildings and Places, or upon them or any of them in respect thereof, pursuant to this Act, and this Act shall be to them respectively a sufficient Voucher, Indemnification, and Authority for any such Payment. And in Case of Non-Payment thereof, every such Rates and Assessments shall and may be recovered from him and them in the Manner and by the Means hereafter appointed for the Recovery of the Rates and Assessments hereby directed to be made.

And it is hereby further Enacted by the Authority aforesaid, That ^{Rates to be} all Rates and Assessments, which shall be made in pursuance of this ^{confirmed by} Act, shall be allowed and signed by the said Trustees so assembled as ^{Trustees,} aforesaid, or the major Part of them, being not less than Five; and they shall and may have Power to amend any such Rates or Assessments, ^{Who may a-} by inserting, or causing to be inserted, the Name or Names of any ^{mend the same} Person or Persons, who ought to have been rated, and shall appear to be omitted therein; which Person or Persons, whose Name or Names shall be so inserted, the said Assessors shall, and are hereby required to ^{Assessors to} Rate and Assess, according to the Tenor, true Intent, and Meaning of ^{bring in As-} this Act: And such Assessors shall appear and bring with them at a ^{sessments,} Time and Place to be prefixed in such Order Two Copies or Duplicates and attend of such Assessments fairly written and subscribed by them, and shall ^{Meetings, &c.} deliver the same unto the said Trustees: And shall upon any reasonable ^{as there shall} Notice from Time to Time, to be to them given by the said Trustees be Occasion. so assembled as aforesaid, or the major Part of them, not being less than Five, or by their Clerk for the Time being, be attending upon them at any of their Meetings in pursuance of this Act, and at any Court or Courts of Quarter Sessions, or otherwise, as there shall be Occasion, then and there to explain, amend, or justify such their Assessments, and after the said Rates and Assessments are so made and confirmed, the said Trustees so assembled as aforesaid, or the major Part of them, being not less in Number than Five, shall and may, and they are hereby authorized and required to cause the same to be collected

Collectors

Assessors and
Collectors shall
obey Orders of the TrusteesRates not paid
to be levied
by Distress.

collected and received, as soon as may be, of and from the Person and Persons respectively, on whom the same shall be respectively rated, charged, and assessed; and shall and may yearly and every Year, and so often as there shall be Occasion, under their Hands and Seals, nominate and appoint, under such Regulations and Directions as aforesaid, the said Assessors, or any Four or more other Inhabitants or Residents in each Parish within the City or Suburbs aforesaid, to be Collectors of and for their said Parishes, of all such Rates and Assessments respectively as aforesaid, and shall and may, and they are hereby required from Time to Time, as soon as may be after such Rates and Assessments are made and brought in, to issue, send out, and direct their Order, under the Hands of the major Part of them so assembled as aforesaid, being not less than Five, to the said Collectors of each of the said several Parishes for the Time being, thereby commanding and requiring them in their respective Parishes jointly and severally, to collect and receive within One Calendar Month from the Date thereof, the respective Sums of Money expressed or contained in such respective Assessments as aforesaid, Duplicates of which Assessments, under the Hands of the said Trustees so assembled as aforesaid, or the major Part of them, being not less than Five, shall be delivered, together with the said Order, to such Collectors of each said Parish respectively; and as well all such Assessors as aforesaid, as all the said Collectors to whom any such Order and Orders from the said Trustees shall from Time to Time be so directed as aforesaid, shall obey and execute the same in all Respects, as is and are hereby required; and in Case any Person or Persons, so rated, or assessed, or charged as aforesaid, shall refuse or neglect to pay any such Rate or Assessment to the Collector or Collectors of the proper Parish, or to some Person for that Purpose acting under him or them, immediately upon Demand thereof by any such Collector or Person, or within Three Days exclusive next after any Demand in Writing left at the last Place of Abode of such Person or Persons so rated, assessed, or charged within the City or Suburbs aforesaid, it shall and may be lawful to and for the said Trustees, so assembled as aforesaid, or the major Part of them, being not less than Five, upon Oath, or Affirmation of the said People called Quakers, (which Oath or Affirmation they are hereby impowered and required to administer) of any such Demand and Non-Payment, by Warrant under their Hands and Seals, which they are hereby impowered and required to grant, to authorize, and direct the said Collectors respectively, and any other Person to be therein named to levy, as soon as may be, such Rate or Monies so in Arrear, and refused or neglected to be paid, together with the Costs attending the same to be ascertained by such Trustees, by Distress and Sale of the Goods and Chattels of every such Person or Persons so in Arrear, and refusing or neglecting to pay as aforesaid, wherever such Goods and Chattels can be found, not only in the Parish

Parish where such Assessment was made; but in any other Parish or Place within the City or County of the City of Coventry; and if sufficient Distress cannot be found within the said City or County, on Oath or Affirmation as aforesaid, made thereof before some Justice of any other County or Precinct (which Oath or Affirmation shall be certified under the Hand of such Justice on the said Warrant) such Rate or Money and Costs as aforesaid, may be levied in such other County or Precinct, by virtue of such Warrant and Certificate, rendering the Overplus (if any be) to the Party or Parties so distrained, or leaving the same for his, her, or their Use, at the Place where such Distress shall be made; and all and every Collectors to of the said Collectors of each of the said Parishes respectively, shall, and he pay Monies to Treasurer within Fourteen Days after Expiration of Time for collecting. and they are hereby required to pay the Money he or they shall respectively collect and receive by virtue of this Act, within Fourteen Days after the Expiration of the Time in which the same is herein before directed to be collected, to the Treasurer or Treasurers acting under the said Trustees, to be applied for the Uses and Purposes of this Act, and shall, and hereby is and are required, at the Time of his or their making every such Payment of such Money so collected, to deliver over to the Person or Persons so impowered to receive the same, a true and exact Copy or Duplicate of the Assessment whereby he or they hath or have collected the same, with an Account thereupon or thereunder written, of all and every such Sum and Sums of Money in such Assessment rated, as remains or remain uncollected (if any such there happen to be), together with the Reasons why the same hath or have not been collected and received, that it may appear whether the Non-payment thereof hath happened through the Insolvency of the Party rated, or through the Default of such Collector or Collectors; and in case any such Assessor or Assessors, Collector or Collectors, shall refuse to take upon them respectively the said Office, or duly to execute the same, according to the true Intent and Meaning of this Act, he and they so offending, shall respectively forfeit and pay for every such Offence, the Sum of Five Pounds, and shall continue liable to be again appointed into the said Office or Offices respectively, the Year following, or sooner, if the said Trustees so assembled as aforesaid, or the major Part of them, not being less than Five, shall so think fit; and in case of his or their Refusal, he or they so refusing shall be again liable to the like Penalty, and so as often as he or they shall refuse to take upon him or them the said Office or Offices.

Provided always, and be it further Enacted by the Authority aforesaid, That the Parishes of Saint Michael and Saint John Baptist, within the City and Suburbs aforesaid, shall, as to any Rates or Assessments to be made by virtue of this Act, or the Appointment of any Assessors or Collectors to assess or collect the same, and all and every other Matters and Things herein contained, be deemed and taken to be one Parish, in

No Distinction of Parishes between Saint Michael and Saint John's.

the same manner as they now are with respect to the Poor's Rates, and Highway Levies, without any Distinction or Separation of Parishes whatsoever.

Lands
exempted
from Rates.

Provided also, and be it Enacted by the Authority aforesaid, That no Person shall be rated, or pay to the Rates or Assessments which shall be made by virtue or in pursuance of this Act, for or upon Account of any Arable, Meadow, or Pasture Ground, held or occupied within the said City or Suburbs; nor shall any Messuages or other Buildings, Yards, Gardens, Orchards, or other Hereditaments, be construed or taken to be within the Suburbs of the said City, as to the Purposes of this Act, the Situation or Situations whereof respectively, is or are without and beyond, the known or reputed Limits of the several Wards of the said City, nor shall any Person be rateable by virtue of this Act, for or in respect of any Stock in Trade, Money or personal Estate; (except only Lodgers and Boarders, who are to be rateable so far as is herein before in that Behalf mentioned, but no further) any Thing herein before contained to the contrary notwithstanding.

How Rates
are to be paid
when Rates
are to be paid
or for any
mediate
Times.

And be it further Enacted by the Authority aforesaid, That where any Person or Persons shall come into or occupy any House, Building, or Premises rated or assessed by virtue of this Act, out of or from which any other Person assessed shall be removed, or which at the Time of making such Rate was empty or unoccupied, that then every Person so removing from, and every Person so coming into or occupying the same, shall be liable to pay to such Rate in Proportion to the Time that such Person occupied the same respectively, in the same Manner and under the like Penalty of Distress as if such Person so removing had not removed, on such Person so coming in and occupying, had been originally rated and assessed in such Rate, which said Proportion, in case of Dispute, shall by the said Trustees so assembled as aforesaid, or the major Part of them, being not less than Five, be settled and ascertained.

Treasurer to
make Pay-
ments as he
shall be re-
quired by the
Trustees.

And be it further Enacted by the Authority aforesaid, That all and every Treasurer and Treasurers to be appointed in pursuance of this Act shall, and is, and are hereby authorized and required to pay and apply all such Monies as he or they shall respectively receive by virtue hereof, to such Person and Persons, and in such Manner, and at such Time and Times as the said Trustees so assembled as aforesaid, or the major Part of them, being not less than Five, shall from Time to Time, by any Order or Orders under their Hands, direct and appoint for the Uses and Purposes of this Act, and such Trustees are hereby empowered to make such Order or Orders accordingly.

And

And be it further Enacted by the Authority aforesaid, That all and every such Collector and Collectors, Treasurer and Treasurers as aforesaid, shall yearly, or oftner as the said Trustees so assembled as aforesaid, or the major Part of them, being not less than Five, shall require, make and render to such Trustees, or any such other Person or Persons as they shall appoint, a true and perfect Account, upon Oath, (or being of the People called Quakers, upon Affirmation), if required, which Oath or Affirmation the said Trustees, or any One or more of them, at such Assembly or Meeting, are hereby impowered to administer, of all Sum or Sums of Money by him or them respectively collected, received or paid, and applied as aforesaid, or which shall have been rated and assessed as aforesaid, and not received, and of all other Matters and Things committed to their respective Charge by virtue and under the Powers of this Act, and shall pay and deliver unto such Person or Persons as the said Trustees so assembled as aforesaid, or the major Part of them, not being less than Five, shall direct and appoint, all and every such Sum and Sums of Money as shall remain in his or their Hands at the Time of such Account; and if such Collector or Collectors, Treasurer or Treasurers respectively, or any of them, or any other Officer or Officers so appointed under this Act, shall refuse or neglect to account for and pay such Sum and Sums of Money accordingly, it shall and may be lawful to and for the said Trustees so assembled as aforesaid, or the major Part of them, being not less in Number than Five, by Warrant under their Hands and Seals, to cause the same to be levied, together with the Costs attending the same, to be ascertained by such Trustees, by Distress and Sale of the Goods and Chattels of every such Person or Persons so refusing or neglecting to account and pay as aforesaid, in like Manner and with like Powers as are hereby given with respect to Distresses for Non-payment of Rates, rendering the Overplus, if any be, to the Party or Parties so distrained, or leaving the same for his, her, or their Use, at the Place where such Distress shall be made; and in Case no such sufficient Distress can be found, then the said Trustees so assembled as aforesaid, or the major Part of them, being not less than Five, on due Proof thereof, by Oath or Affirmation as aforesaid, (which such Trustees have hereby Power to administer) of any one Person so being impowered to make such Distress, shall and are hereby authorized and required to issue their Warrant under their Hands and Seals, impowering any Person or Persons to apprehend the Offender wherever he can be found, either within the said City or the County thereof, or in any other City, County, or Place, and immediately to commit him to the common Goal of any such City, County, or Place wherein any such Offender shall or may be apprehended as fully and effectually to all Intents, as if he or they had been originally apprehended and committed within the said City or Suburbs, there to remain without Bail or Mainprize until he or they have made a true and perfect Account and Satisfaction, and paid so much as upon the said Account shall appear to be remaining in his or their

their Hands, and all Costs and Charges attending such Proceedings as
afore said, to be ascertained by such Trustees, shall be fully paid, or
Composition paid for the same, which Composition the said Trustees so
assembled as afore said, or the major Part of them, being not less in
Number than Five, are hereby empowered to make.

Treasurer to
give Security.

And it is hereby further Enacted by the Authority afore said, That
the said Trustees so assembled as afore said, or the major Part of them,
being not less in Number than Five, shall, and they are hereby required
to take such Security from the Treasurer or Treasurers to be appointed
for the Purposes of this Act, for the due Execution of his or their Office
or Offices, as to them shall seem meet; Such Security to be taken in the
Names of such and so many of the said Trustees, as they the said Trus-
tees so assembled as afore said, or the major Part of them, being not less
than Five, shall order and appoint.

No Collector
to serve more
than once in
Seven Years.

Provided always, That no Person or Persons whatsoever shall be ap-
pointed, or liable to serve the said Office of Collector oftner than once
in Seven Years, unless he or they voluntarily accept the same.

Application
of Monies

And be it further Enacted by the Authority afore said, That all and every
the Monies to be rated and raised in the said several Parishes within the City
or Suburbs afore said, and all Fines, Penalties, and Forfeitures recovered by
virtue of this Act, (not otherwise hereby particularly disposed of) shall be ap-
plied by the said Trustees so assembled as afore said, or the major Part of
them, not being less than Five, to pay off and discharge, in the first Place,
all the Costs and Charges of obtaining or by reason of passing this Act,
and afterwards for the respective Uses and Purposes, and according to
the Powers hereby directed, appointed and prescribed, and shall be ap-
plied from Time to Time in general, and without Distinction, in such
Manner as if the said City and Suburbs was but one entire Parish; and
that Accounts of all Monies collected and received, and wherein ex-
pended, and to whom paid, pursuant to the Powers hereby given, and
also all the Acts, Orders, and Proceedings, of the said Trustees at
their several Meetings to be held in pursuance of this Act, or otherwise
under the Powers herein contained, shall, from Time to Time, be fairly
wrote and entered in some proper Book or Books to be provided and
kept for such Purposes, and that all such Books shall, at any Meet-
ings of the said Trustees in pursuance of this Act, be open and liable
to the Inspection of any Person rated, and paying to the said Rates and
Assessments; and that all such Accounts and Entries shall be signed by
Five or more of the said Trustees so assembled as afore said, and shall
be deemed Originals, and shall be admitted to be read as Evidence in
all Courts whatsoever, in all Cases, Suits, and Actions, touching any
Thing to be done in pursuance and under the Authority of this Act.

Proceedings
to be entered
in Books.

which signed
by Five
Trustees, are
to be deemed
Originals, and
read in Evi-
dence.

And

And be it further Enacted by the Authority aforesaid, That sometime ^{Trustees to} between the Twenty-ninth Day of *July* and the Twenty-ninth Day of *September* in every Year, a fair and just Account shall be made and wrote out of ^{make out} all Monies received and paid by virtue and in pursuance of this Act, and ^{Accounts} how, and to whom, and when, and for what Purposes the same have ^{annually.} been laid out, paid, and expended; one Copy or Duplicate of which ^{Duplicate} Account, signed by the said Trustees so assembled as aforesaid, or the ^{to be delivered} major Part of them, not being less than Five, shall be delivered to ^{to Church-} some one or more of the Churchwardens of the Parish of Saint *Michael*, ^{wardens of} in the said City, and another Copy thereof, signed as aforesaid, shall be ^{St. Michael,} delivered to some one or more of the Churchwardens of the Parish of the ^{another to} *Holy Trinity* in the said City, such Copies to be preserved and kept in ^{Church-} the respective Vestries of the said Parishes, and to be resorted to, perused ^{wardens of} and inspected at all seasonable Times by any Inhabitants of the said ^{Trinity,} Parishes respectively, who shall be rated by virtue of this Act, without ^{to be there} Fee or Reward, and a third Duplicate or Copy of such Account, so ^{preserved and} signed as aforesaid, shall be deposited with the Clerk of the Peace of the ^{resorted to} said City for the Time being, to be kept among the Records of the Ses- ^{without Fee.} sions of the Peace, who shall permit any Person so rated as aforesaid, to ^{Another Du-} inspect the same at all seasonable Times, paying Six-pence for such In- ^{plicate to be} spection, and shall upon Demand forthwith give Copies of the same, or ^{left with} any Part thereof, to such Person, paying at the Rate of Six-pence for ^{Clerk of the} every Hundred Words, and so in Proportion for any greater or less ^{Peace, and in-} Number, which Account, and Copies or Duplicates thereof, the said ^{spected for 6d.} Trustees are hereby impowered and required to cause to be wrote out, ^{Copies to be} signed, and delivered accordingly. ^{made, paying} ^{for every} ^{100 Words.}

Provided always, and it is hereby further Enacted by the Authority ^{Persons ag-} aforesaid, That if any Person or Persons shall find him, her, or themselves ^{grieved may} aggrieved by any Rate or Assessment made in pursuance of this Act, or by ^{appeal to the} any other Act, or Order, Judgment or Proceeding of the said Trustees, ^{Sessions.} or any of them; then and in every such Case, it shall and may be law- ^{Persons ag-} ful for such Person or Persons, giving reasonable Notice to the respective ^{grieved may} Collectors of the Parish in which he, she, or they shall reside, or to the ^{appeal to the} Clerk, to the said Trustees for the Time being, according to the nature ^{Sessions.} of the Grievance complained of, to appeal to the next General Quarter ^{Persons ag-} Sessions of the Peace, for the said City, to be held at the Goal Hall there, ^{grieved may} (but to no Adjournment thereof to any other Place;) and the Justices of ^{appeal to the} the Peace there assembled, are hereby authorized and required to receive ^{Sessions.} the said Appeal, and to hear and finally determine the same at the said ^{Persons ag-} Goal Hall in open Sessions, but not elsewhere, and to award to the Party ^{grieved may} or Parties for whom such Appeal shall be determined, such Costs as to ^{appeal to the} them in their Discretion shall seem reasonable, and shall raise and levy ^{Sessions.} by their Order or Warrants such Costs as shall be awarded, by Distress ^{Persons ag-} and Sale of the Goods and Chattels of any Person or Persons, who ^{grieved may} shall be ordered to pay the same. ^{appeal to the} ^{Sessions.}

Trustees may
mitigate
Penalties.

Provided always, and it is hereby further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees so assembled as aforesaid, or the major Part of them, not being less than Five, from Time to Time, to mitigate, compound, or lessen any of the Fines, Penalties, or Forfeitures by or under this Act imposed, as they in their Discretion shall think fit; and every such Mitigation or Composition, shall be a sufficient Discharge to the Persons offending respectively, for so much of the said Fines, Penalties and Forfeitures, as shall be so mitigated or lessened.

Manner how
pecuniary Pen-
alties are to
be determi-
ned.

And it is hereby further Enacted by the Authority aforesaid, That it shall and may be lawful to and for any Five or more of the said Trustees, so assembled as aforesaid, to hear and determine any of the Offences (not herein directed to be otherwise heard) which are made subject to, and punishable by any pecuniary Penalties directed by this Act; and upon any Information or Complaint (which shall in all Cases be made within Six Days after the Offence committed) exhibited before them, to summon the Party or Parties accused, and the Witnesses on either Side, to be and appear before them, or any Five other of the said Trustees so assembled as aforesaid, at such Time and Place within the said City or Suburbs, as shall be therein appointed; and upon the Appearance, or Contempt of the Party accused in not appearing according to such Summons, it shall and may be lawful for any Five or more of the said Trustees so assembled as aforesaid, upon such Summons being first proved, to proceed to the Examination of any Witness or Witnesses on Oath, or Affirmation as aforesaid, which any one of the said Trustees is hereby empowered to administer, and to hear the Circumstances of the Case, and thereupon, or upon Confession of the Party, to give and sign such Conviction and Judgment for the Forfeiture and Payment of such Penalty, or to acquit the Party accused for want of due Proof of the Offence, as shall be just and conformable to the Tenor and true Meaning of this Act; and which Conviction and Judgment, any such Five or more Trustees shall, and are hereby empowered in any such Case to draw up, or cause to be drawn up, and to sign the same, in such Form and Manner, (so that the Sum forfeited, and for what Offence, be expressed,) as they shall think proper and direct; and where the Party or Parties so accused shall be convicted upon or by reason of any such Information or Complaint, then the Penalty or Forfeiture, wherein he, she, or they, shall be so severally convicted, and all and every other Penalties and Forfeitures, and all Fines by or under this Act incurred and imposed, (the manner of recovering and levying whereof is not otherwise hereby particularly directed) shall and may by Warrant under the Hands and Seals of any Five or more of the said Trustees so assembled as aforesaid, which they are hereby empowered and required to grant, be recovered with the Costs of the Conviction and Recovery thereof, to be ascertained by such Trustees, by Distress and Sale of the Offender's Goods and Chattels, wherever such Goods and Chattels can be

Fines, Pen-
alties and
Forfeitures
how to be re-
covered,

be found, with like Powers as to such Distress as are hereby given with respect to Distresses in Case of Non-payment of Rates, rendering the Overplus of such Distress (if any be) to the Party or Parties so distrained, or leaving such Overplus for his, her, or their Use, at the Place where such Distress shall be made; and all and every the Penalties, Fines, and Forfeitures which shall be incurred, imposed, and recovered by virtue of this Act, and which are not herein directed to be otherwise wholly applied, shall be applied immediately from and after the Recovery, Imposition, and Payment thereof respectively as follows; that is to say, one Moiety thereof to any such Informer or Informers, Witness or Witnesses, against the Offender or Offenders, in such Shares and Parts as the said Trustees before and by whom any such Conviction shall be made, shall order and direct; and the other Moiety thereof, to be paid to the Treasurer or Treasurers of the said Trustees for the Time being, for the Uses and Purposes in this Act mentioned; and in all Actions, Prosecutions, Informations, Causes and Proceedings whatsoever relating to and concerning the Execution of this Act, any Inhabitant within the City or Suburbs aforesaid, may and shall be admitted to give Evidence, the Rate or Contribution charged as aforesaid upon any such Inhabitant, by Virtue hereof notwithstanding.

And be it Enacted by the Authority aforesaid, That no Writ of Certiorari to remove any Rates made in pursuance of this Act, or to remove any Orders or other Proceedings taken or made by the said General Quarter Sessions touching such Rates, or touching any other Matter or Thing as to which any Appeal is given to the said Sessions by this Act, shall be sued out or granted, but upon a Motion to be made sometime in the next Term after the Time for appealing to the said Sessions is expired, and that no such Certiorari shall be allowed until sufficient Security be given to the Treasurer or Treasurers acting under the said Trustees, or to their Clerk for the Time being, in the Sum of Fifty Pounds, to prosecute such Writ with Effect, and to pay the Costs to be ascertained by the Court to which such Rates, Orders, or Proceedings shall be removed, in Case such Rates or Orders shall be confirmed; nor shall any such Rates, Orders, or Proceedings be quashed or vacated for want of Form only; and all Costs and Charges of the said Trustees, occasioned by any such Removal, other than such as the said Trustees shall recover or receive under or by virtue of such Security as aforesaid, shall be defrayed out of the then subsisting, or any subsequent Rate, made or to be made by virtue of this Act.

And be it further Enacted by the Authority aforesaid, That no Action or Suit shall be commenced or prosecuted against any Person or Persons who shall have been employed in the collecting or receiving any Money in pursuance of this Act, or any Rate or Rates which shall or may be quashed or discharged on any Certiorari to be brought in any of his Majesty's Courts of Record at Westminster, or otherwise, for any Money to be collected or received

Inhabitants
may be Evi-
dences, tho'
acted.

which Certiorari may issue.

No Rates, &c.
to be quashed
for want of
Form.
Charges of
Removal to
be paid out
of Rates.

No Action
against
Collectors
of Rates
discharged
by Certiorari,
but the
Person over-
rated to be
relieved in a
future Rate.

received on any such Rate or Rates, before such Writ of *Certiorari* shall be brought and allowed; but that Justice may be done to such Persons, who shall or may pay towards any Rate which shall be quashed or discharged, the several Sums which shall appear to have been paid by them on such Rates, either in whole, or in part, more than they ought to have paid, shall be repaid, or allowed to them in the next Rate or Rates which shall be made in Pursuance of this Act, as though the same had been paid on such new Rate or Rates, any thing in this Act, or any Law, Usage, or Custom to the contrary thereof in any wise notwithstanding.

No Order to be revoked without previous Notice and Nine Trustees concurring.

Provided always, and it is hereby further Enacted by the Authority **aforsaid,** That no Order of the said Trustees at any of their Meetings in pursuance of this Act, and entered in their Book or Books kept for this Purpose, shall be revoked or altered at any subsequent Meeting, unless Nine or more of the said Trustees shall concur therein, and unless in the Notice of such subsequent Meeting there be also Notice of the said intended Alteration.

Reservation of Rights to the Proprietors of Water-Works.

Provided also, and it is hereby Enacted by the Authority **aforsaid,** That nothing in this Act shall extend, or be construed to extend, to prejudice the said Mayor, Bayliffs and Commonalty, or their Successors, or the Owners or Proprietors of the Water-Works of the said City or Suburbs for the Time being, in respect to any Right they now have respectively of breaking up the Pavements or Ground of any Street or Place within the said City or Suburbs, from Time to Time, as there shall be Occasion, for the Purposes of laying down, amending, repairing, and taking up the Conduits and Water-Pipes belonging to them, or to the said Water-Works respectively, the said Mayor, Bayliffs and Commonalty, and their Successors, and the said Owners and Proprietors respectively, from Time to Time, and at all Times repairing and making good (as heretofore they usually and respectively have done) such Parts, and so much of the said Pavements, Ground or Places, within the said City or Suburbs, as they or any Person or Persons, by their Order, shall break up for the Purposes **aforsaid.**

Ancient Rights, &c. of the Corporation reserved to them.

Provided also, and it is hereby further Enacted by the Authority **aforsaid,** That nothing in this Act shall extend, or be construed to extend, to affect, impeach, diminish, or take away, any of the Rights, Privileges, Royalties, Franchises, Immunities, Liberties, Powers, Jurisdictions, or Authorities whatsoever, which the said Mayor, Bayliffs and Commonalty, in their Corporate Capacity, have heretofore had, used, exercised and enjoyed, or which they might have had, used, exercised, and enjoyed by virtue of any Charter, Letters Patent, Grant, Usage, Custom, or other Right or Title whatsoever; any Thing herein contained to the contrary notwithstanding.

And

And be it further Enacted by the Authority aforesaid. That where any Distress and Sale shall be made for any Sum or Sums of Money directed to be levied, or any Person or Persons shall be apprehended or committed by virtue of this Act, such Distress, Sale, Arrest, or Commitment, shall not be deemed to be unlawful, nor the Party or Parties making or doing the same respectively, be deemed a Trespasser or Trespassers on account of any Defect or want of Form, or other Irregularity in any Warrant of Appointment, or other Warrant, or in any Rate, or Assessment, Summons, Conviction, Order, Commitment, or other Proceeding or Proceedings whatsoever, relating to or concerning any such Distress, Sale, Arrest or Commitment; nor shall the Party or Parties making such Distress, Sale, Arrest or Commitment respectively, be deemed or construed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards done or transacted, in any such Case, by him or them; but the Person or Persons aggrieved by any such Irregularity, shall and may by Action on the Case, recover Satisfaction for the special Damages only, by him, her, or them, sustained thereby, but in every such Action shall have no more Costs than the Damages by him, her, or them, recovered thereby.

Clause to
prevent vex-
atious Suits.

Prohibited always. That no Action or Suit whatsoever, shall be commenced or prosecuted against any Person or Persons for any Thing done or to be done in Pursuance of this Act, or any Clause, Power or Thing herein contained, until after One Calendar Month's Notice thereof in Writing, signed by the Party aggrieved, shall be given to the Clerk of the Justices of the said City, or to the Treasurer or Clerk of the said Trustees for the Time being, under whose Power or Authority the Grievance shall have most immediately arisen; nor after a sufficient Satisfaction, or a Tender thereof, hath been made to the Party or Parties so alledging him, her, or themselves to be aggrieved; nor after Six Calendar Months next following such Grievance, and the Fact committed; and every such Action shall be laid in the County of the City of Coventry, and not elsewhere; and the Defendant or Defendants, in every such Action or Suit, shall and may plead at his Election specially, or the general Issue, and give this Act, and the special Matter in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance of this Act, and by Force of some or one of the Powers and Authorities hereby given; and if the same shall appear to be so done, or that such Action or Suit shall be brought before One Calendar Month's Notice had been thereof given, or after sufficient Satisfaction made or tendered, or after the Time limited for bringing the same as is herein before directed, or shall be brought or tried in any other County than as aforesaid, then the Jury in every such Case shall find a Verdict for the Defendant or Defendants; and in every such Action, if a Verdict shall be found for the Defendant or Defendants, or if the Plaintiff

Limitation of
Actions.

or Plaintiffs shall be Non-suited, or discontinue his, her, or their Action, or Actions, after the Defendant or Defendants shall have appeared; or if upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in other Cases by Law.

Publick Act. And be it Enacted by the Authority aforesaid, That this Act, and every thing herein contained, shall be deemed, adjudged, and taken to be, a publick Act, and shall be judicially taken Notice of as such, by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.



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A C T

FOR

*The better paving, lighting, and
cleansing the City of Coventry,
and its Suburbs, for widening
some Parts thereof; and for the
better ordering the Watch, publick
Wells and Pumps, and the River
Sherborne there.*

*Propd in the House
of Lords.*